

In The Matter Of:

*Senate Committee on Governmental Affairs
Special Investigation - 1996 Campaign Funds*

*Hearing Volume Number 9
July 24, 1997*

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(1) INVESTIGATION OF ILLEGAL OR IMPROPER ACTIVITIES IN
(2) CONNECTION WITH THE 1996 FEDERAL ELECTION CAMPAIGN
(3)
(4) THURSDAY, JULY 24, 1997
(5) United States Senate,
(6) Committee on Governmental Affairs,
(7) Washington, D.C.
(8) The Committee met, pursuant to notice, at 10:53 a.m.,
(9) in Room SH-216, Hart Senate Office Building, Hon. Fred
(10) Thompson, Chairman of the Committee, presiding.
(11) Present: Senators Thompson, Collins, Brownback,
(12) Domenici, Cochran, Nickles, Specter, Smith, Bennett, Glenn,
(13) Levin, Lieberman, Akaka, Durbin, Torricelli, and Cleland.
(14) Chairman Thompson: Let's come to order, please.
(15) All right. This is a continuation of our hearings with
(16) regard to illegal and improper activities concerning the
(17) 1996 Federal election campaigns.
(18) Senator Glenn, do you have any preliminary statement to
(19) make?
(20) Senator Glenn: No opening statement, Mr. Chairman.
(21) Chairman Thompson: I have no opening statement.
(22) Mr. Fred Volcansek is our first witness. Sir, will you
(23) stand and raise your right hand? Do you solemnly swear that
(24) the testimony you are about to give will be the truth, the
(25) whole truth, and nothing but the truth, so help you, God?

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(1) Mr. Volcansek, I do.
(2) Chairman Thompson: All right, sir. Mr. Volcansek, do
(3) you have a statement?

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(1) TESTIMONY OF FREDERICK W. VOLCANSEK, SR., FORMER
(2) CONSULTANT FOR THE NATIONAL POLICY FORUM;
(3) ACCOMPANIED BY BOBBY BURCHFIELD, ESQ., COVINGTON &
(4) BURLING, WASHINGTON, D.C.
(5) Mr. Volcansek: Thank you, Mr. Chairman and members of
(6) this honorable Committee.
(7) My name is Frederick W. Volcansek, Sr.
(8) Senator Glenn: Use the mike there, please. Get it up
(9) closer so that everybody can hear. Thank you.
(10) Mr. Volcansek: My name is Frederick W. Volcansek, Sr.,
(11) and I reside with my wife at 10 Moss Bluff Court in The
(12) Woodlands, Texas. We have five children, four of whom are
(13) currently in college. I am employed as a vice president for
(14) International Development at Mosbacher Power Group in
(15) Houston, Texas. I also serve as the president of Mosbacher
(16) Power Brasil Limitada.
(17) After graduating from college in 1967, I followed in
(18) the footsteps of my father, Brigadier General Max J.
(19) Volcansek, Jr., by entering the United States Marine Corps.
(20) I was awarded the Bronze Star with "V" for my service in
(21) combat in Vietnam and held the rank of captain when I left
(22) the Corps in 1973. From 1973 to 1978, I worked for a
(23) manufacturing company, and from 1978 to 1988, I was in
(24) private business in Utah.
(25) From December 1988 until early 1989, I worked for the

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(1) Presidential Inaugural Committee. Beginning in March of
(2) 1989 through September of 1992, I held a variety of
(3) positions at the United States Department of Commerce,
(4) serving first as the director of External Affairs from March
(5) of 1989 to September of 1990, and then, next as the Deputy
(6) Assistant Secretary for Basic Industries, Trade Development
(7) in the International Trade Administration until June of
(8) 1997, and from June of 1992 until September 1992 as Acting
(9) Deputy Under Secretary for the International Trade
(10) Administration. From late 1992 until June of 1996, I was
(11) the head of a consulting firm that represented a number of
(12) multinational corporations in the International Business
(13) Development. In June of 1996, I joined Mosbacher Power
(14) Group.
(15) When I first learned that I might be called before this
(16) Committee, it was my understanding that the Committee was
(17) interested in investigating a loan obtained by the National
(18) Policy Forum from Signet Bank in October of 1994. Of
(19) particular interest to the Committee, I gathered, was the
(20) guarantee of that loan by a Florida corporation called Young
(21) Brothers Development (USA), and the participation in that
(22) loan transaction by a Mr. Ambrous Tung Young, a well-known
(23) Hong Kong businessman.
(24) As was the case at my deposition before the Committee
(25) staff on Monday, July the 21st, I am fully prepared to

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(1) answer the Committee's questions about that transaction to
(2) the best of my ability.
(3) I recently learned of another topic that at least the
(4) minority counsel in this Committee might be interested in
(5) pursuing with me. While on a recent business trip to the
(6) Middle East, just this last month, I became aware that the
(7) Department of Commerce had issued a worldwide request
(8) requesting information about me from all locations where I
(9) had traveled during my duties with the Commerce Department.
(10) Upon returning from that trip, my counsel submitted a
(11) Freedom of Information Act request seeking information about
(12) the source of that inquiry.
(13) To its credit, the Department of Commerce promptly
(14) processed my request and revealed that Mr. Alan Baron,
(15) minority counsel to the Committee, faxed a letter to the
(16) Honorable William M. Daley, Secretary of Commerce, on May
(17) 27, 1997, asking the Secretary to provide the Committee with
(18) all documents referring or relating to Mr. Volcansek,
(19) including all correspondence, recommendations, memoranda,
(20) travel and trade mission records. A copy of Mr. Baron's May
(21) 27, 1997, letter is attached to this statement, as is a copy
(22) of the Department's response dated June 27, 1997, from Mr.
(23) John F. Sopko, chief counsel for Special Matters, who I am
(24) informed recently left his position as minority chief
(25) counsel for this Committee.

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(1) Again, to the credit of Secretary Daley and the
(2) Department, Mr. Baron's request was forwarded to the Office
(3) of the General Counsel and processed as a request under the
(4) Freedom of Information Act. In view of the well-known
(5) procedures for seeking information under FOIA, I am frankly
(6) baffled by Mr. Baron's decision to address his letter to the
(7) Secretary of Commerce rather than to the Commerce official
(8) charged with complying with FOIA requests. I am further
(9) mystified by the minority counsel's inquiry, since his
(10) letter correctly states that I served in the Department of
(11) Commerce from 1989 until 1992, whereas Senate Resolution 39
(12) authorizes this Committee to expend funds for the sole
(13) purpose of conducting an investigation of illegal activities
(14) in connection with the 1996 Federal election campaigns.
(15) Clearly, my service in the Department of Commerce had
(16) nothing to do with the 1996 election, and I believe it is
(17) far outside this Committee's mandate.
(18) My puzzlement was increased during my deposition on
(19) July 21, 1997, during which the minority counsel spent
(20) almost a half an hour out of a three-hour session inquiring
(21) about how the Bush Commerce Department selected participants
(22) in trade missions and whether I had allowed myself to be
(23) improperly influenced and whether I had done anything
(24) unethical or improper during my tenure at the Department of
(25) Commerce.

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(1) Upon reflection, it appears that the minority staff may
(2) be interested in determining whether I, as Deputy Assistant
(3) Secretary of the Department of Commerce, was engaged in
(4) activities bearing any similarity to those of another more
(5) famous former Deputy Assistant Secretary of Commerce, Mr.
(6) John Huang.

(7) Of course, I know nothing of Mr. Huang's activities
(8) other than what I have read in the papers or heard in the
(9) news, but I can assure this Committee absolutely,
(10) unconditionally, and without any qualification of the
(11) following facts.

(12) First, during my entire tenure at the Department of
(13) Commerce, I was fully aware of my obligations under the
(14) Hatch Act and, accordingly, had no involvement in political
(15) activities, including the solicitation of funds for any
(16) political party, candidate, or committee.

(17) Second, although I was privy to confidential
(18) information in my various positions at the Department of
(19) Commerce, I safeguarded that information in every
(20) conceivable way. At no time did I find it necessary to
(21) leave the Commerce Department building and go back to the
(22) Willard Hotel or to any other location to make or receive
(23) telephone calls, send or receive faxes, or send or receive
(24) mail. I can imagine no circumstance under which such
(25) activities would be necessary or proper by a person holding

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(1) that position.

(2) Third, during my three-and-a-half years at the
(3) Department of Commerce, I was invited to the White House to
(4) meet with President Bush exactly zero times. In my
(5) experience, it was most unusual for a Deputy Assistant
(6) Secretary to have the occasion to visit with the President.

(7) Finally, I am aware of no instances which participants
(8) in trade missions were selected because they had contributed
(9) money to the Republican Party or to President Bush's
(10) campaigns. To my knowledge, all trade missions were staffed
(11) on the basis of the economic and business qualifications of
(12) the applicants.

(13) Let me be very clear. To whatever degree the press
(14) accounts of Mr. Huang's activities while serving as Deputy
(15) Assistant Secretary of Commerce are true, I can assure this
(16) Committee from my personal knowledge and experience that
(17) everybody does not do it.

(18) Sometime during the spring of 1994, I was approached by
(19) representatives of the National Policy Forum with the
(20) request that I serve on the Forum's Policy Council on
(21) Competing in the Global Marketplace. I was informed that
(22) former USTR Representative Carla Hills and Oren L. Benton,
(23) chairman and chief executive officer of CONCORD would serve
(24) as co-chairs of this Policy Council. This invitation was
(25) confirmed in a letter from NPF President Michael E. Baroody

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(1) on April 22, 1994, and I accepted the invitation by letter
(2) dated May 2, 1994, to Mr. Baroody.

(3) When I accepted the invitation to serve on the Forum's
(4) Policy Council, it was my understanding, and continues to my
(5) understanding, that the National Policy Forum was a think
(6) tank, dedicated to the analysis of public policy
(7) alternatives, and in particular to elicit the views of
(8) recognized experts and members of the public at large on
(9) critical issues facing our Nation. In other words, I viewed
(10) the National Policy Forum then, and continue to view it, as
(11) an organization that was much like the Heritage Foundation,
(12) the Cato Institute, or the Center for Strategic and
(13) International Studies. I never understood the National
(14) Policy Forum to be engaged in electioneering and any
(15) political contributions, any political advertisements, or
(16) endorsing any candidates. They never engaged in any
(17) get-out-the-vote or voter registration efforts, or did any
(18) of those things that we associate with political committees.

(19) Rather, to my knowledge, the National Policy Forum did
(20) exactly what it told the public it would do. By newspaper
(21) accounts, I gather that the National Policy Forum held
(22) public forums around the country on a wide range of issues,
(23) from global competition, to entitlement reform, to education
(24) reform, and so forth. The policy council on which I served
(25) produce a white paper on competing in the global

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(1) marketplace. A draft of that white paper was circulated to
(2) members of the Competing in the Global Marketplace Policy
(3) Council on July 15, 1994, and was finalized after
(4) consideration of comments from counsel members sometime
(5) thereafter. I also participated in the organization of the
(6) Telecommunications and Environmental conferences.

(7) As a think tank, National Policy Forum was run as a
(8) separate organization from the Republican National
(9) Committee. Although Haley Barbour served as chairman of
(10) both the Republican National Committee and the National
(11) Policy Forum, the other governing officers were different.
(12) First, Michael Baroody, and then John Bolton, served as
(13) president of the National Policy Forum. My dear friend, Dan
(14) Denning, served as chief operating officer. I understood
(15) that the National Policy Forum had a 12-member board of
(16) directors to guide its work.

(17) Nothing that I saw or heard led me to believe that the
(18) National Policy Forum was anything but a think tank or, as
(19) some have alleged, that it was merely a ruse to funnel
(20) illegal contributions to the Republican National Committee.

(21) At some point, during the spring or summer of 1994, I
(22) was asked to aid the National Policy Forum in its
(23) fund-raising efforts. At that point in time, I was told
(24) that the Republican National Committee had advanced well
(25) over \$2 million to fund the operations of the National

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(1) Policy Forum, and that some of those loans from the
(2) Republican National Committee to the National Policy Forum
(3) were now due. During a number of conversations with Dan
(4) Denning, some of which also involved Don Fierce, the chief
(5) strategist of the RNC and confidant of Haley Barbour, we
(6) decided to pursue the loan transaction that the Committee is
(7) investigating.

(8) As I recall, the National Policy Forum had received
(9) donor commitments of over \$1.5 million, but those
(10) commitments were slow in being fulfilled. To allow the
(11) National Policy Forum to pay its ongoing costs of operation
(12) as well as to repay part of the amounts it had received from
(13) the Republican National Committee, the National Policy Forum
(14) had inquired about obtaining a loan from a bank. I was told
(15) that Signet Bank was willing to make the loan, but would do
(16) so only if collateral in the form of certificates of deposit
(17) were posted with the bank to cover the loan in the event
(18) that the National Policy Forum defaulted.

(19) Several years ago before, Richard Richards, whom I knew
(20) from political circles in Utah and through the Mormon Church
(21) here in the Washington, D.C., area, had introduced me in a
(22) social setting to Ambrous Young. Upon obtaining assurances
(23) from lawyers that a guarantee of the loan by Mr. Young's
(24) company would be perfectly legal and proper, I agreed to
(25) approach Mr. Richards' nephew and business associate, Steve

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(1) Richards, about the possibility of obtaining a loan
(2) guarantee from Mr. Young's company.

(3) I learned from Steve Richards that Mr. Young was very
(4) interested in public discussion of United States policy
(5) towards China and was already considering a major gift to a
(6) Washington-based think tank. I believe the Center for
(7) Strategic and International Studies was the principal think
(8) tank being considered at that time. Since this was an issue
(9) that the National Policy Forum might also be studying, Steve
(10) Richards was optimistic that Mr. Young would look favorably
(11) upon a request to place the guarantee.

(12) During the late spring and summer of 1994, I had a
(13) number of discussions with Steve Richards and my friend,
(14) Richard Richards, concerning the possibility of Young
(15) Brothers Development guaranteeing a loan from Signet to the
(16) National Policy Forum. These discussions led to a visit by
(17) Richard Richards and me to go to Hong Kong to discuss this
(18) matter directly with Ambrous Young. During late August
(19) 1994, I attended a dinner at Sam & Harry's with Ambrous
(20) Young, his wife Anne, Loren Young, Richard Richards, Steve
(21) Richards, Don Fierce, and Haley Barbour. Mr. Young's
(22) interest in United States policy toward China was discussed,
(23) as was the possibility of Young Brothers Development
(24) guaranteeing a loan to the National Policy Forum. A couple
(25) of weeks later, I learned that the United States subsidiary

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(1) of Young Brothers Development, a Florida corporation, called
(2) Young Brothers Development (USA), had agreed to post the
(3) sufficient certificates of deposit to guarantee the loan.
(4) Once Young Brothers Development had agreed to guarantee
(5) the loan, my personal involvement in the transaction ended.
(6) I was aware that Signet loaned the NPF \$2.1 million, based
(7) upon Young Brothers Development (USA) posting an equivalent
(8) dollar value of certificates of deposit with Signet Bank. I
(9) also learned that National Policy Forum used about a
(10) half-a-million dollars of the loan proceeds to pay its
(11) ongoing operating expenses and used the remainder to repay
(12) part, but not nearly all, of its obligations to the
(13) Republican National Committee. I also know that the
(14) transaction was specifically and carefully reviewed by
(15) numerous extremely capable lawyers, who specifically
(16) focussed on the question whether the loan guarantee violated
(17) any law or regulation.
(18) Specifically, Shea & Gardner, which I know to be a very
(19) reputable law firm in the Washington, D.C., area,
(20) represented Signet Bank in the loan transaction.
(21) Benton L. Becker, who served as secretary-treasurer and
(22) general counsel to Young Brothers Development (USA) and who
(23) had previously served as counsel to President Gerald Ford,
(24) represented Young Brothers Development (USA). As one of
(25) several conditions in a letter addressing the guarantee, Mr.

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(1) Becker required that "prior to the loan transaction, the
(2) general counsel for the National Policy Forum will provide a
(3) written opinion letter to the general counsel of Young
(4) Brothers Development (USA), concluding that Young Brothers
(5) Development (USA)'s service as a loan guarantor for the
(6) National Policy Forum, as described herein, constitutes no
(7) violation of U.S. law."
(8) E. Mark Braden, Esquire, a partner at Baker & Hostetler
(9) in Washington, D.C., and former chief counsel to the
(10) Republican National Committee, issued the required opinion
(11) letter on behalf of the National Policy Forum, concluding in
(12) part that "Young Brothers Development (USA), Inc.'s
(13) participation in this loan transaction as a third-party
(14) provider of collateral does not conflict with any provision
(15) of any Federal election or campaign financing regulation."
(16) A copy of Mr. Braden's opinion letter is attached as Exhibit
(17) C.
(18) Because the Republican National Committee was a
(19) principal creditor of the National Policy Forum, I also
(20) discussed the transaction with the Republican National
(21) Committee's general counsel, David Norcross, who considered
(22) it perfectly legal and appropriate.
(23) In sum, numerous nationally prominent campaign finance
(24) lawyers reviewed this transaction and deemed it perfectly
(25) legal, ethical, and proper in all respects. this was a

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(1) transaction that was conducted in the full light of day with
(2) the most extensive legal review that I have ever seen for a
(3) transaction of comparable value. While I am no lawyer and
(4) cannot hold myself out as an expert on the intricacies of
(5) the Federal campaign finance laws, I was absolutely
(6) convinced at the time and remain absolutely convinced today
(7) that this transaction was legal, ethical, and proper in
(8) every respect.
(9) I continued to assist the National Policy Forum in
(10) raising money during 1995 and succeeded in raising several
(11) hundred thousand dollars from domestic sources. I
(12) understood, however, that the National Policy Forum was
(13) having trouble raising sufficient money to support its
(14) ongoing operations and to repay the Signet loan. In
(15) mid-1995, I was asked to increase the time and effort that I
(16) was spending in efforts to raise funds for the National
(17) Policy Forum. In view of that greater commitment, for the
(18) first time, I was offered compensation for these efforts.
(19) John Bolton, the president of the National Policy Forum at
(20) the time, and I entered into an agreement that the National
(21) Policy Forum would pay me \$5,000 per month for six months to
(22) help the National Policy Forum raise money. In the event
(23) that I raised more than \$1 million, I would be paid an
(24) additional amount.
(25) My efforts to raise money during mid- to late 1995 were

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(1) focused on domestic individuals and corporations, which I
(2) understand are not of interest to the Committee. During
(3) that time, I neither solicited nor raised any money from
(4) foreign sources on behalf of the National Policy Forum. I
(5) was not paid the final installment due me under my agreement
(6) with the National Policy Forum, and I was at no time paid
(7) any bonus or commission by the National Policy Forum. I
(8) should emphasize that none of these payments--none of these
(9) payments was related in any way to the loan guarantee by
(10) Young Brothers Development (USA) of the Signet loan to the
(11) National Policy Forum. I neither asked nor received any
(12) payment relating to the loan guarantee.
(13) Later, as the National Policy Forum continued to have
(14) difficulty making its payments on the Signet loan, I was
(15) asked to approach Mr. Young through Richard Richards and
(16) Benton Becker to determine if Mr. Young would consent to pay
(17) the outstanding balance of the loan, which was then about
(18) \$1.5 million. I was informed that Young Brothers
(19) Development (USA) expected the National Policy Forum to pay
(20) the loan balance. When the National Policy Forum was
(21) ultimately unable to do so, Signet foreclosed on Young
(22) Brothers Development (USA)'s collateral and used those
(23) proceeds to pay the outstanding balance of the loan.
(24) Upon this foreclosure, I learned that Young Brothers
(25) Development (USA) and Mr. Young were quite disturbed. I was

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(1) asked to negotiate a resolution to avoid the possibility of
(2) litigation among Young Brothers Development (USA), the
(3) National Policy Forum, and potentially the Republican
(4) National Committee, which Young Brothers Development (USA)
(5) believed should have stepped in to pay the loan. It was
(6) clear to me that the Republican National Committee had not
(7) guaranteed the loan, and if it had intended to guarantee the
(8) loan, the participation of Young Brothers Development (USA)
(9) would have been unnecessary. On the other hand, Young
(10) Brothers Development (USA) and Mr. Young himself were
(11) clearly upset that the bank had seized the collateral and
(12) very well might have pursued the matter into litigation.
(13) To avoid this outcome, I was involved in working out an
(14) arrangement by which the National Policy Forum would repay
(15) Young Brothers Development (USA) roughly half of the value
(16) of the seized collateral. This arrangement was concluded in
(17) early 1997. Since I had a role in persuading Young Brothers
(18) Development to post the collateral in the first place, I was
(19) personally disappointed to see all the parties to the
(20) transaction become so dissatisfied.
(21) One fact is crystal clear. When the loan was first
(22) made, it was not the intention of anyone that the
(23) certificates of deposit posted as collateral for the Signet
(24) loan to National Policy Forum would be forfeited to pay the
(25) loan. That was not my intention when I first raised the

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(1) prospect of a guarantee with Steve Richards, Richard
(2) Richards, and Ambrous Young, nor did I understand it to be
(3) their intention. Indeed, I fully believe, at the time that
(4) Signet made its loan to the National Policy Forum, that the
(5) National Policy Forum fully expected that it would and could
(6) repay the loan, principal and interest, in full. If I had
(7) believed otherwise, regardless of the legal aspects of this
(8) transaction, I would not have participated in it.
(9) This Committee is charged with a solemn responsibility
(10) of investigating one of the most important aspects of the
(11) American political process and the American political
(12) system, how campaigns are financed. I commend the Committee
(13) for its hard work and attention to this matter and look
(14) forward to the Committee's final report and recommendations.
(15) but I cannot leave today without emphasizing the following
(16) key points concerning the National Policy Forum loan
(17) transaction.
(18) First, from my first involvement with the National
(19) Policy Forum until today, I believed that the National
(20) Policy Forum was a think tank and not a political committee
(21) in any sense of the word. To my knowledge, the National
(22) Policy Forum was never involved in any of the electioneering
(23) activities associated with political committees.
(24) Second, the loan transaction that the Committee is
(25) investigating was thoroughly reviewed by some of the best

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(1) campaign finance lawyers in this country. Like everyone
(2) else involved in these transactions, I was committed to
(3) staying within the letter and intent of the law. I believed
(4) then and continue to believe now that this transaction
(5) complied with all standards of law and ethics.
(6) Finally, any suggestion that the National Policy Forum
(7) was used to funnel or launder foreign money into the
(8) Republican National Committee is inconsistent with the facts
(9) as I know them. By the time that Signet made its
(10) \$2.1-million loan to the National Policy Forum, the National
(11) Policy Forum already owed the Republican National Committee
(12) more than that amount of money. It would make no sense to
(13) me to set up an entity like the National Policy Forum to
(14) launder foreign money to the RNC if the RNC got back less
(15) money from the National Policy Forum than it put into it.
(16) Thank you for the opportunity to appear before this
(17) Committee.
(18) [The prepared statement of Mr. Volcansek follows.]

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(1) Chairman Thompson. Well, Mr. Volcansek, first of all,
(2) if the facts are as I understand them, this Committee owes
(3) you an apology. If you have been subject to a worldwide
(4) search of records going back as far as 1989, this Committee
(5) owes you an apology.
(6) Some of this--most of this has just come to my
(7) attention for the first time today, but I look here at this
(8) letter that you have made a part of the record for Mr.
(9) Baron, where he requests of the Department of Commerce, Mr.
(10) Daley. It says, Mr. Volcansek reportedly served in the
(11) Department from 1989 to 1992... Please provide the Committee
(12) with all documents referring or relating to... including all
(13) correspondence, recommendations, memoranda, travel and trade
(14) mission records," from 1989 to 1992 because we are
(15) investigating the 1996 Federal election campaign.
(16) And then I see over here another document that I had
(17) not seen before, and this comes under the area of my
(18) responsibility, where a Mr. John Sopko, up until recently,
(19) worked for Mr. Baron over here on this Committee, sends us
(20) over a box of correspondence relating to your tenure at the
(21) Department from 1989 to 1992, and says, "We are continuing
(22) our search of Department files to identify additional
(23) records that may be responsive to your request...." et
(24) cetera, et cetera.
(25) I have been as liberal as I know how to be about

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(1) activities that have occurred prior to the 1996 Federal
(2) election campaign. If there is a direct tie-in or part of a
(3) pattern scheme or course of conduct, I know of no accusation
(4) against you. This is a two-edged sword.
(5) At a time when we are trying to pare down these
(6) subpoenas to make sure they are reasonable, with regard to
(7) independent groups, labor unions and whatnot, because we
(8) only have jurisdiction in the 1996 campaign, it is totally
(9) improper for us to be going back and rummaging around prior
(10) activities that happened even before the last Presidential
(11) campaign, and I can assure you that we will look into that
(12) matter.
(13) Now, I have nothing further, preliminarily. Senator
(14) Glenn?
(15) Senator Glenn. I cannot help but respond to that, Mr.
(16) Chairman, because we do not owe Mr. Volcansek any apology of
(17) any kind, and to take umbrage at something after the breadth
(18) and scope of the subpoenas that the majority has issued on
(19) behalf of this Committee, going to ridiculous ends on some
(20) of them, and I would be glad to have anybody review them and
(21) say that they are tailored just to what the Committee is
(22) considering, is ridiculous.
(23) What the staff was trying to do--I will defend Mr.
(24) Baron in this regard because what staff was trying to do was
(25) get background as to whether there was any connection, as

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(1) majority has done with subpoena after subpoena after
(2) subpoena, and that was all there was.
(3) It was the majority that introduced checks into
(4) evidence the other day that were drawn in 1992, before
(5) anybody on this side mentioned anything about earlier
(6) elections or election campaigns.
(7) So I just disagree with your statement on that, and I
(8) think Mr. Baron was doing his job. I am sorry it offended
(9) anybody. If it offended Mr. Volcansek, we do not apologize.
(10) We say, well, that is how you have to develop information
(11) here, and I am sorry that is the way it is. I am sure it
(12) was not very pleasant to have to go to a FOIA request and
(13) get this information, but that is done all the time in these
(14) things, and that is not an excuse that everybody does it.
(15) The subpoenas that have been put out by the majority
(16) are so broad in most instances that they go far beyond
(17) anything that this Committee is looking at, and I understood
(18) earlier on that this is what lawyers normally do, put out a
(19) broad subpoena and then they are willing to pare it down.
(20) Our problem has been that the majority has not been
(21) willing to pare some of these down, no matter how we have
(22) pushed on it. So I do not want to take up all our time
(23) because we have a lot of ground to cover here today, but I
(24) do have to respond to that.
(25) Chairman Thompson. If I might reclaim a moment or two

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(1) of my time. If the majority has any particular individual
(2) instance where we are asking for information prior to a 1996
(3) campaign that is not related, that you feel like it is not
(4) related to the 1996 campaign, please bring it to my
(5) attention. It is easy to make broad statements, but because
(6) somebody participated legally, lawfully, and properly in the
(7) 1996 campaign, that does not open them up, their entire
(8) prior life, to the rummaging around of their records and
(9) documents and correspondence.
(10) I just wish we got the same kind of response from the
(11) Department of Commerce on some of the things we have been
(12) looking at for the 1996 campaign that we got with regard to
(13) you going back as far as 1989.
(14) Mr. Burchfield. Mr. Chairman, if I might say
(15) something, I agree that this is not an issue that Mr.
(16) Volcansek specifically feels the Committee needs to look
(17) into today, but it was quite unusual to us that the letter
(18) was addressed to the Secretary of Commerce as opposed to the
(19) Office of the Freedom of Information Act officer.
(20) We got the information. We have reviewed it all.
(21) There is absolutely nothing in the box, the 3,501 pages of
(22) documents that we paid \$246 to get to the Department of
(23) Commerce--there is nothing in there that indicates that
(24) there is any impropriety and certainly no connection to the
(25) 1996 election, but it did strike us as quite strange that

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(1) the letter went to the Secretary of Commerce rather than the
(2) FOIA officer and was responded to by a person who until
(3) recently was employed by this Committee. That struck us as
(4) strange.
(5) Chairman Thompson. Well--
(6) Senator Glenn. Mr. Chairman?
(7) Chairman Thompson. Senator Glenn?
(8) Senator Glenn. I do not see any impropriety there
(9) whatsoever. You address it to the boss. That is the head
(10) of the Department of Commerce, and they give it to whoever
(11) is going to take care of that as an action officer downhill.
(12) If it is FOIA, if it is somebody else, fine, but that is up
(13) to the Department of Commerce how they want to handle it. I
(14) think that was very proper to send it that way.
(15) Chairman Thompson. We are ready to go, if you are
(16) prepared.
(17) Senator Glenn. Go ahead, Mr. Baron.
(18) Mr. Baron. Thanks, Senator Glenn.
(19) I would just like to make one observation with regard
(20) to that. There was a copy of this letter sent to Mr.
(21) Madigan, counsel for the majority, and I have never heard
(22) any protest or objection from him or any of the majority
(23) staff that there was any impropriety.
(24) Chairman Thompson. Well, I guess we had better respond
(25) to that.

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(1) Mr. Madigan. Well, Mr. Baron, I hate to continue to
(2) disagree with you in public, but you know that is not
(3) accurate. I have objected to the use of FBI agents to chase
(4) Mr. Kojima around. I have objected to your efforts to send
(5) letters to various departments seeking information with
(6) respect to the Bush administration. I have objected to
(7) employees of the minority staff that I understand went to
(8) the Bush Library. I have objected in writing in many of
(9) these instances, and I have objected continually to that
(10) matter as being outside the scope of this investigation. and
(11) you know that.
(12) Mr. Baron. My point was, with regard to this specific
(13) letter which we sent a copy to you. I am not aware of any
(14) response from you or objection from you.
(15) Can we move on?
(16) Good morning, Mr. Volcansek. I would like to move on
(17) to the National Policy Forum, if we can. It is my
(18) understanding you first heard about the National Policy
(19) Forum in early 1994 from Mr. Denning, who is an old friend
(20) of yours?
(21) Mr. Volcansek. That is correct.
(22) Mr. Baron. And I believe that Mr. Denning worked with
(23) you on the Bush-Quayle Inauguration in 1989?
(24) Mr. Volcansek. That is correct.
(25) Mr. Baron. Mr. Denning first talked to you about

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(1) National Policy Forum in the early spring of 1994; is that
(2) right?
(3) Mr. Volcansek. That is correct.
(4) Mr. Baron. And he had recently then become the chief
(5) operating officer of the National Policy Forum?
(6) Mr. Volcansek. That is my understanding.
(7) Mr. Baron. I believe he described it to you as a think
(8) tank that had been set up by Mr. Barbour and others to
(9) discuss Republican ideas?
(10) Mr. Volcansek. That is correct.
(11) Mr. Baron. And you knew that Mr. Barbour was the
(12) chairman of the National Policy Forum and that he was at the
(13) same time chairman of the Republican National Committee; is
(14) that correct?
(15) Mr. Volcansek. Yes, I did.
(16) Mr. Baron. Now, when you met with Mr. Denning in the
(17) spring of 1994, am I correct that he advised you that the
(18) National Policy Forum needed financial help?
(19) Mr. Volcansek. That is correct.
(20) Mr. Baron. And I believe he said to you that the
(21) National Policy Forum was under a great deal of pressure to
(22) generate some funds?
(23) Mr. Volcansek. That is correct.
(24) Mr. Baron. I believe you have previously testified
(25) under oath that you spoke with Mr. Donald Fierce about the

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(1) National Policy Forum's financial problems. Indeed, there
(2) had been a meeting at Mr. Fierce's home about that subject.
(3) Is that correct?
(4) Mr. Volcansek. It was a meeting with Mr. Fierce and
(5) Mr. Denning and myself to discuss National Policy Forum
(6) issues, yes.
(7) Mr. Baron. At Mr. Fierce's home, I believe.
(8) Mr. Volcansek. That is correct.
(9) Mr. Baron. And am I correct that Mr. Fierce is known
(10) to you or was introduced to you as a chief strategist of the
(11) Republican National Committee and as a close confidant of
(12) Mr. Barbour's?
(13) Mr. Volcansek. Yes, he was.
(14) Mr. Baron. Am I correct that in these discussions, Mr.
(15) Fierce indicated that he wanted the National Policy Forum to
(16) repay at least a portion or preferably all of its debt to
(17) the RNC?
(18) Mr. Volcansek. That he was interested in seeing that
(19) the National Policy Forum repaid the loans that the
(20) Republican National Committee had lent to the National
(21) Policy Forum, yes.
(22) Mr. Baron. Is it also true that you were told that the
(23) RNC needed the money because of the upcoming November 1994
(24) elections?
(25) Mr. Volcansek. Well, I was told two things. I was

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(1) told, first, and it was always emphasized by my good friend,
(2) Dan Denning, that he needed funds very much for his ongoing
(3) operations at the National Policy Forum, and the number that
(4) we originally talked about was a number at around \$3.5
(5) million so that we could help Dan not to be under the
(6) eight-ball of always having to raise funding for the ongoing
(7) operations of the National Policy Forum.
(8) Yes, we also discussed that the Republican National
(9) Committee was very interested in seeing that the National
(10) Policy Forum repaid the loan so that the Republican National
(11) Committee could utilize those funds in appropriate ways
(12) during the 1994 election cycle, and that I believed that
(13) those funds were going to go back to the area from which
(14) they came and would be used as was appropriate.
(15) Mr. Baron. Do you recall your deposition being taken
(16) on July 21, 1997?
(17) Mr. Volcansek. Yes, I do.
(18) Mr. Baron. Let me direct your attention, if I may, to
(19) page 84, beginning at line 6. Do you have that, sir?
(20) Mr. Volcansek. Yes, I do.
(21) Mr. Baron. Directing your attention to line 6, you
(22) were asked the question, "I asked if you had any general
(23) understanding as to how they were going to use the money at
(24) the time you were talking to Mr. Dick Richards?"
(25) Your answer, "My general understanding of how they were

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(1) going to use the money was in the '94 election process in
(2) which there were numerous races that they thought they had
(3) an opportunity for and they needed the money back from the
(4) NPF that had been lent to the NPF specifically or even less
(5) than specifically. I can't answer because that was never
(6) detailed."
(7) Question: "How did you develop that general
(8) understanding from what you just testified?"
(9) Answer: "In my discussions with Mr. Fierce."
(10) Did I read that correctly, sir?
(11) Mr. Volcansek. You read it correctly, but let me just
(12) say to you that I feel that my answer to you was consistent
(13) with that. However, I added the fact that the discussion
(14) also entailed the issue that Mr. Denning and the National
(15) Policy Forum needed additional funds, and that the original
(16) amount that we were talking about of \$3.5 million was an
(17) amount that accomplished both purposes.
(18) Mr. Baron. So I understand--
(19) Mr. Volcansek. What I am saying to you is that my
(20) recollection today versus what I had on this day, I have
(21) just added additional information, but I have not changed
(22) the information that is in this particular document.
(23) Mr. Baron. So, if I understand you, you have added
(24) something to your testimony, but you still acknowledge that
(25) what was there was accurate, that what you previously

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(1) testified to at your deposition was accurate. You are just
(2) going beyond it now.
(3) Mr. Volcansek. That is correct.
(4) Mr. Baron. Thank you.
(5) Now, you agreed to help Mr. Denning try to solve the
(6) National Policy Forum's financial problems; is that correct?
(7) Mr. Volcansek. That is correct.
(8) Mr. Baron. And am I correct that you had discussions
(9) with Mr. Denning and Mr. Fierce about possibly getting
(10) either a large donation or a loan or a loan guarantee as a
(11) way of doing it; is that correct?
(12) Mr. Volcansek. Would you restate that?
(13) Mr. Baron. Am I correct that in your discussions with
(14) Mr. Denning and Mr. Fierce about how to solve the NPF's
(15) financial problem, there were various options, perhaps a
(16) large contribution, perhaps a large loan, perhaps a loan
(17) guarantee? Weren't those all considered as possibilities?
(18) Mr. Volcansek. That is correct.
(19) Mr. Baron. Now, at the time you began discussing these
(20) matters in the spring of 1994, Mr. Baroody was the president
(21) of the National Policy Forum, and not Mr. Denning; is that
(22) correct?
(23) Mr. Volcansek. Yes, he was.
(24) Mr. Baron. And did you ever meet or speak with Mr.
(25) Baroody during this period concerning what you and Mr.

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(1) Fierce and Mr. Denning were discussing?
(2) Mr. Volcansek. Well, I neither met Mr. Baroody then or
(3) discussed anything with him then nor have I met him to this
(4) day.
(5) Mr. Baron. Were you aware or was it ever made known to
(6) you that Mr. Baroody opposed the solicitation of foreign
(7) funds for the National Policy Forum?
(8) Mr. Volcansek. The only thing that I was aware of was
(9) that Mr. Baroody wasn't really interested in fund-raising in
(10) general for the National Policy Forum, and the truth that
(11) that was really coming under the auspices and responsibility
(12) of Dan Denning as chief operating officer.
(13) Mr. Baron. And are you aware, sir, that yesterday when
(14) Mr. Baroody testified, it was the first time that he learned
(15) that you, Mr. Denning, and Mr. Fierce had met back in the
(16) spring of 1994 to discuss the possibility of foreign
(17) fund-raising?
(18) Mr. Volcansek. I am not aware of that part of Mr.
(19) Baroody's testimony yesterday.
(20) Mr. Baron. At some point, am I correct that it was
(21) decided to seek a loan guarantee because it might be
(22) arranged more quickly than a straight loan? Do you recall
(23) your testimony in that regard at your deposition?
(24) Mr. Volcansek. That is correct.
(25) Mr. Baron. Is that accurate?

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(1) Mr. Volcansek. Say it again. Just repeat it for me.
(2) Mr. Baron. Am I correct that at some point, it was
(3) decided that it might be easier, it could be arranged more
(4) quickly to get a loan guarantee as distinguished from a
(5) straight loan?
(6) Mr. Volcansek. That is correct.
(7) Mr. Baron. Now, am I correct that it was Mr. Fierce
(8) who we have identified as an official of the RNC who first
(9) suggested approaching foreign sources?
(10) Mr. Volcansek. In the discussion on that day, yes, it
(11) was he that first mentioned it.
(12) Mr. Baron. And am I correct that you tried to come up
(13) with the names of potential financial backers who might
(14) provide a loan guarantee--
(15) Mr. Volcansek. That is correct.
(16) Mr. Baron. --or a loan if you could get it?
(17) Mr. Volcansek. That is correct.
(18) Mr. Baron. And as I understand, you came up with the
(19) names of three prospects, one of which was Mr. Ambrous Young
(20) of Hong Kong; is that correct?
(21) Mr. Volcansek. That is correct.
(22) Mr. Baron. And am I correct that you met--I believe it
(23) was also in your statement today--that you met Mr. Ambrous
(24) Young through Mr. Dick Richards, the former head of the RNC?
(25) Mr. Volcansek. That is correct.

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(1) Mr. Baron. And am I correct that you knew that Mr.
(2) Richards was a close confidant of Mr. Ambrous Young?
(3) Mr. Volcansek. Yes.
(4) Mr. Baron. Now, you said here that Mr. Steve Richards,
(5) Mr. Dick Richards' nephew, told you that a possible reason
(6) Mr. Ambrous Young might be interested in supporting the
(7) National Policy Forum was that Mr. Young was looking around
(8) for a think tank where he might put some money. Is that
(9) your testimony?
(10) Mr. Volcansek. That is correct, to pursue issues that
(11) he thought were of interest that he would like to see
(12) discussed in a public format.
(13) Mr. Baron. I want to present to you--you do not have
(14) it in front of you, but I represent to you I am going to
(15) read accurately from a deposition of Mr. Steve Richards that
(16) was taken on July 22nd, at page 17, and I will make this
(17) text available to you if you do not have it.
(18) At line 11, he is asked the question, "Had Mr. Young
(19) mentioned to you anything about looking for a think tank
(20) that he could contribute his policy views on China to?"
(21) Answer: "No."
(22) Mr. Becker interjects. "What was your answer?"
(23) The Witness: "No."
(24) Question: "Had he mentioned to you prior to that
(25) anything about wanting to contribute to a think tank in the

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(1) United States, anything along those lines?"
(2) Answer: "Mr. Young?"
(3) Question: "Yes."
(4) Answer: "No."
(5) So Mr. Richards--Steve Richards' recollection is quite
(6) different than yours. Do you still stick by your testimony,
(7) that is, that--let me finish my question--that it was your
(8) understanding that Mr. Richards told you that Mr. Ambrous
(9) Young was looking for a think tank to put his money in?
(10) Mr. Volcansek. Oh, most specifically.
(11) Mr. Baron. Now, I believe you testified in your
(12) opening statement that you took a trip to Hong Kong to, it
(13) would be fair to say, feel Mr. Young out about the
(14) possibility of him being interested in providing the loan
(15) guarantee?
(16) Mr. Volcansek. That is correct.
(17) Mr. Baron. Now, after returning from Hong Kong, am I
(18) correct that you met with Mr. Denning and Mr. Fierce about
(19) setting up a possible trip to Washington by Mr. Ambrous
(20) Young and specifically to have him meet Mr. Barbour?
(21) Mr. Volcansek. That is correct.
(22) Mr. Baron. Now, after your return from Hong
(23) Kong--could we look at Exhibit 277? It should be in front
(24) of you. Do you see that document?
(25) Mr. Volcansek. Yes, I do.

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(1) Mr. Baron. All right. It appears to be on your
(2) stationery. Your name is at the top. It is dated Thursday,
(3) July 28, 1994, and it is captioned Talking Points for Haley
(4) Barbour. Do you see that?
(5) Mr. Volcansek. Yes, I do.
(6) Mr. Baron. Did you prepare that document?
(7) Mr. Volcansek. Yes, I did.
(8) Mr. Baron. I take it, they were talking points for
(9) Haley Barbour, correct?
(10) Mr. Volcansek. That is what it says.
(11) Mr. Baron. And what did you understand that Mr.
(12) Barbour--who was he going to talk to, using your points, or
(13) perhaps having reviewed your points?
(14) Mr. Volcansek. He was going to talk with Dick
(15) Richards.
(16) Mr. Baron. And the idea was to talk to Dick Richards
(17) about the possibility of getting Ambrous Young to make the
(18) loan guarantee?
(19) Mr. Volcansek. That is correct.
(20) Mr. Baron. Now, would you look at paragraph 3 of your
(21) talking points, and these are one of the issues that you
(22) wanted raised with Dick Richards by Mr. Barbour? Do you see
(23) that?
(24) Mr. Volcansek. Yes.
(25) Mr. Baron. Let me quote from that. Please follow

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(1) along to make sure I am doing it accurately. You say, "I am
(2) sure that you have been tracking the possibilities for the
(3) Republican Party in the upcoming midterm elections in both
(4) the House and the Senate. They appear to be better than we
(5) ever anticipated. We truly have a chance to take at least a
(6) working majority in the House." Do you see that at
(7) paragraph 3?
(8) Mr. Volcansek. Yes, I do.
(9) Mr. Baron. Let me move down to paragraph 5 on the
(10) page. Quoting, "We would like to propose a loan from
(11) Ambrous Young's family to the NPF which will allow us to
(12) free up the money previously advanced to the NPF and make it
(13) available for the elections. Pledges are coming in
(14) steadily, but not in the amounts or in the time necessary to
(15) accomplish the goals we have set and which would appear to
(16) be truly attainable." I read that accurately, did I not?
(17) Mr. Volcansek. You read it accurately.
(18) Mr. Baron. Am I correct that those points arose out of
(19) the conversation that you had had previously with Mr.
(20) Denning and Mr. Fierce about trying to raise money for NPF?
(21) Mr. Volcansek. Yes.
(22) Mr. Baron. Could you look at Exhibit 278?
(23) Mr. Volcansek. I am looking at it.
(24) Mr. Baron. All right. The substantive document is
(25) National Policy Forum Proposal for Ambrous Young, and it is

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(1) dated Monday, August 15, 1994. Do you have that document?
(2) Mr. Volcansek. I have it.
(3) Mr. Baron. And did you prepare that document?
(4) Mr. Volcansek. Yes, I did.
(5) Mr. Baron. Am I correct that the intention of this
(6) document was to present a proposal to Mr. Young? That is
(7) the caption at the top?
(8) Mr. Volcansek. That is correct.
(9) Mr. Baron. All right. Would you go down six
(10) paragraphs? They are not numbered, but would you count down
(11) the page?
(12) Mr. Volcansek. Go ahead.
(13) Mr. Baron. I am going to read it, and please follow me
(14) to make sure it is accurate. It says, "In planning for the
(15) 1994 midterm election cycle in the Congress, it has been
(16) determined that there are 176 highly contested races. The
(17) RNC is faced with a need to support substantially over 90 of
(18) these races. The prospects for a Republican majority in the
(19) House of Representatives is realistic for the first time in
(20) over 40 years. It appears that there is also reasonable
(21) potential to re-take the majority in the Senate." Did I
(22) read that accurately?
(23) Mr. Volcansek. Yes, you did.
(24) Mr. Baron. That was part of the proposal for Mr.
(25) Young?

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(1) Mr. Volcansek. Well, it's part of the paper, and--
(2) Mr. Baron. I understand that.
(3) Mr. Volcansek. --what it is going is laying out the
(4) explanation that is consistent with everything I have said
(5) up to this point, discussing the National Policy Forum, what
(6) the National Policy Forum was about, and then by returning
(7) the funds that were loaned by the Republican National
(8) Committee to the National Policy Forum, going back to the
(9) Republican National Committee, going back to an area from
(10) whence the funds originally came, allowed for greater
(11) opportunity to enhance what the Republican National
(12) Committee was going to do in the 1994 election cycle.
(13) Mr. Baron. Precisely. The document goes on in the
(14) next paragraph to ask for a three-year loan guarantee in the
(15) amount of \$3.5 million to either the Chase Bank or the
(16) Citibank, and it goes on to discuss the finances; is that
(17) correct?
(18) Mr. Volcansek. Yes.
(19) Mr. Baron. The latter part of the paragraph I started
(20) to read says, "Chairman Barbour is committed to continuing
(21) his fund-raising efforts on behalf of the NPF's work and
(22) fully intends for the NPF to repay the loan. However, if
(23) there is any default in loan payments by the NPF, he will
(24) authorize the guarantee of the RNC and ask for the
(25) Republican National Committee's ratification. As chairman

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(1) of the RNC and the NPF, he intends to be certain that
(2) neither organization defaults on its obligations."
(3) Did I read that accurately?
(4) Mr. Volcansek. You read it accurately.
(5) Mr. Baron. Where did that language come from? Was
(6) that your language?
(7) Mr. Volcansek. That was language that came from
(8) efforts that I had in working with another potential source
(9) for this process.
(10) Mr. Baron. Another source of funding?
(11) Mr. Volcansek. Yes, correct. A domestic, U.S.,
(12) American source.
(13) Mr. Baron. Okay. Let me direct your attention to
(14) Exhibit 285.
(15) Mr. Volcansek. I have it.
(16) Mr. Baron. All right. And that is a letter dated
(17) August 30, 1994, to Mr. Benton Becker from Mr. Haley
(18) Barbour; am I correct?
(19) Mr. Volcansek. Yes.
(20) Mr. Baron. All right. Now, am I correct, would it be
(21) fair to characterize it--and if it is not fair, please
(22) correct me. I am sure you will--that this is kind of a
(23) comfort letter, some assurance that the collateral that
(24) might be put up--that there was some assurance that it might
(25) be protected? Is that a fair statement? If you want to

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(1) change it, please do it.
(2) Mr. Volcansek. I think that the letter is very clear
(3) in the way that it's written.
(4) Mr. Baron. Well, is my characterization of it
(5) accurate?
(6) Mr. Volcansek. The characterization is that he wanted
(7) to make Mr. Young comfortable with his efforts in this
(8) transaction.
(9) Mr. Baron. Well, let's look at the third paragraph on
(10) the front page. He makes the point in his view that,
(11) "Because NPF is separate from the Republican National
(12) Committee, the RNC is not automatically responsible for its
(13) debts. Nevertheless, I am committed to making sure NPF
(14) raises sufficient funds to cover its operations and to pay
(15) off any and all its debts. Moreover, as chairman of the
(16) RNC, in the event NPF defaults on any debt, I will ask the
(17) Republican National Committee to authorize me to guarantee
(18) and pay off any NPF debts. I am confident the RNC would
(19) grant me such authority at its next meeting, provided there
(20) is valid outstanding debt of NPF to a U.S. bank or other
(21) lending institution guaranteed by a U.S. citizen or domestic
(22) corporation."
(23) Did I read that accurately?
(24) Mr. Volcansek. Yes, you did.
(25) Mr. Baron. Thank you.

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(1) Now, prior to the time that the loan was consummated in
(2) October of 1994, am I correct you were not aware of anyone
(3) saying anything about Mr. Young forgiving this loan
(4) guarantee? That is, by that I mean that Mr. Young was
(5) willing to let the NPF default on the loan and thereby
(6) forfeit the collateral that was posted?
(7) Mr. Volcansek. Prior to--
(8) Mr. Baron. To October of 1994, before the loan was
(9) consummated.
(10) Mr. Volcansek. It was clear to me that every intention
(11) by Mr. Barbour and everyone associated with it to repay that
(12) loan.
(13) Mr. Baron. And there was no issue of forgiving, Mr.
(14) Young just forfeiting the collateral so the NPF wouldn't
(15) have to pay?
(16) Mr. Volcansek. That was not a discussion at that time.
(17) Mr. Baron. All right. Now, am I correct, sir, that
(18) you were aware that prior to the loan being consummated,
(19) that the collateral would be coming from Hong Kong, it would
(20) be originating in Hong Kong?
(21) Mr. Volcansek. I understood that the loan to the
(22) National Policy Forum would be provided by Signet Bank, that
(23) the funds would be coming from Young Brothers Development of
(24) Hong Kong, would be lent to Young Brothers Development (USA)
(25) for the purposes of providing the collateral for this loan

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(1) guarantee--serving as this loan guarantee for this loan.
(2) Mr. Baron. And am I correct, sir, that prior to the
(3) time that the loan was consummated in October of 1994, this
(4) fact--that is to say, that the money which would be coming
(5) to Young Brothers (USA) to serve as the collateral on the
(6) Signet Bank loan to National Policy Forum--that information
(7) was known to you, to Mr. Denning, to Mr. Fierce, and Mr.
(8) Haley Barbour?
(9) Mr. Volcansek. The fact that the money was coming from
(10) Young Brothers Development of Hong Kong to Young Brothers
(11) Development (USA) was really considered to be an unimportant
(12) issue because of the fact that we considered that the fact
(13) that the National Policy Forum was a 501(c)(4) corporation,
(14) and because it was a 501(c)(4) corporation, the source of
(15) those funds, whether they be foreign or domestic, was
(16) irrelevant from a legal perspective. And so, therefore, any
(17) discussions that we had on it, albeit that we discussed it,
(18) nobody focused on it because we didn't consider it to be an
(19) issue.
(20) Mr. Baron. Well, let me direct your attention to your
(21) deposition at page 106. Look at line 18, please.
(22) Do you have that?
(23) Mr. Volcansek. Just a moment.
(24) Yes, I have where you're asking. Go ahead.
(25) Mr. Baron. Okay. This is page 106 of your deposition

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(1) at line 18, and let me read from that and please follow
(2) along to make sure I'm reading accurately.
(3) The question: "Do you recall with whom, if anyone, you
(4) shared that information, and the information is that the
(5) monies would be coming from Hong Kong that Mr. Young would
(6) be providing?"
(7) Your answer: "I shared that information with Dan
(8) Denning, with Don Fierce, and with Haley Barbour."
(9) And could you go over to page 108, please, of your
(10) deposition at line 17?
(11) Mr. Volcansek. I'm there. Go ahead.
(12) Mr. Baron. Question: "Prior to October 13, 1994"-and
(13) we can all agree that that was the date of the loan. "Prior
(14) to October 13, 1994, did you make Haley Barbour aware that
(15) Mr. Young would be transferring monies from Hong Kong that
(16) would be used to support the collateral used in the loan
(17) guarantee made to the National Policy Forum?"
(18) Your attorney states, "Object to form." You then
(19) answer, "Yes, I did."
(20) That was your testimony, was it not?
(21) Mr. Volcansek. That was my testimony. I don't think
(22) that's inconsistent with what I just said a moment ago.
(23) Mr. Baron. Well, what you just said a moment ago, I
(24) think the record will reflect, didn't specifically respond
(25) to my question. My question is: Is it not true that back

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(1) in-prior to October 13, 1994, you, Mr. Denning, Mr. Fierce,
(2) and Mr. Barbour all were aware that the money that Mr. Young
(3) was going to put up as collateral through the arrangements
(4) that ultimately was entered into originated in Hong Kong?
(5) Mr. Volcansek. Well, Mr. Baron, as I said a moment
(6) ago, we had the discussions about this issue. Yes, I
(7) remember telling Mr. Barbour, Mr. Fierce, and Mr. Denning
(8) that this money would be coming from the Hong Kong
(9) corporation through the U.S. corporation as a loan to the
(10) U.S. corporation, and that it would be put up as the
(11) collateral for the loan guarantee.
(12) So the answer to you is, yes, I remember telling him,
(13) but I also say to you that we didn't think that it was an
(14) important part of this issue.
(15) Mr. Baron. And I believe your testimony earlier was
(16) because as a 501(c)(4) entity, the NPF qualified to receive
(17) monies of that type; is that correct?
(18) Mr. Volcansek. That's absolutely correct.
(19) Mr. Baron. And you're aware today that the pending
(20) application for a 501(c)(4) status has been rejected by the
(21) Internal Revenue Service?
(22) Mr. Volcansek. Well, Mr. Baron, it's my understanding
(23) that when you have an application for a 501(c)(4) that you
(24) operate under those conditions under the assumptions that
(25) you are a 501(c)(4) until that application process is

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(1) determined.
(2) Now, I'm not a lawyer. I've said that repeatedly in my
(3) statement, and I'm not representing that I'm a lawyer. But
(4) that was my understanding at the time, and that continues to
(5) be my understanding irrespective of the IRS' decision
(6) subsequent to that situation.
(7) Mr. Baron. Thank you. Mr. Volcansek. I have no
(8) further questions.
(9) Chairman Thompson. All right. I call on Senator-do
(10) you have a minute or two that you want, Mr. Madigan?
(11) Mr. Madigan. Just a couple minutes.
(12) Chairman Thompson. All right. Mr. Madigan for a brief
(13) time, and then Senator Collins.
(14) Mr. Madigan. Good morning, Mr. Volcansek. Let me just
(15) ask you a couple of questions about this transaction to see
(16) if I get it straight. It has been described from time to
(17) time as some sort of contribution. Was it?
(18) Mr. Volcansek. No, Mr. Madigan, it was not a
(19) contribution. Again, it was a loan guarantee.
(20) Mr. Madigan. And when you were asked to participate in
(21) this loan guarantee transaction, were you told what the need
(22) for the money was by the NPF?
(23) Mr. Volcansek. Yes, I was, Mr. Madigan. I was told
(24) that it was needed for ongoing operations of the National
(25) Policy Forum, that they were having difficulties raising the

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(1) funds that they needed to pursue the agenda that they had,
(2) which was an aggressive agenda for a new think tank, and
(3) that they needed the funds for this ongoing operation, as
(4) well as the opportunity to repay the loan that they had been
(5) asked to repay by the Republican National Committee.
(6) Mr. Madigan. And as I understand it, just so that I
(7) get it clear, the transaction was that the Young Brothers
(8) (USA) guaranteed a loan of Signet Bank here in Washington,
(9) D.C., and Signet Bank was the one that actually loaned the
(10) money, the \$2.1 million, to the NPF; is that right?
(11) Mr. Volcansek. Mr. Madigan, that's absolutely
(12) accurate. The guarantee was for the bank. It was provided
(13) to the bank, and the bank made the loan to the National
(14) Policy Forum.
(15) Mr. Madigan. And am I correct from reading your
(16) opening statement and listening to you here that because of
(17) the fact that all these lawyers looked at the transaction
(18) and concluded that it was a legal transaction, whether the
(19) money was coming initially from Young Brothers (Hong Kong)
(20) or from Young Brothers (USA), that that wasn't a particular
(21) focal point of your discussions?
(22) Mr. Volcansek. Mr. Madigan, it absolutely wasn't a
(23) focal point because-let me emphasize that from the outset
(24) of our discussions to pursue this loan guarantee for the
(25) National Policy Forum, that we wanted to do it in a legal

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(1) and ethical manner because we believed that at some time we
(2) were going to be in a fish bowl and that we were-that
(3) people were going to be looking at us, and we wanted to make
(4) sure that it was done properly and appropriately. And so we
(5) were very careful.
(6) And let me just say that the number of lawyers that
(7) were involved in the transaction and the reputations of the
(8) lawyers were a major factor in the fact that I did not
(9) scrutinize or spend a lot of time being concerned about the
(10) issue, especially the fact that the opinion letter issued by
(11) Mr. Braden is such that I was very comfortable because Mr.
(12) Braden is represented to be one of the top Federal election
(13) campaign lawyers in the United States today. And so I was
(14) very comfortable, and it was not a-we were not concerned
(15) with the legal ramifications of this because of the quality
(16) of the legal efforts.
(17) And as I emphasize in my statement, Mr. Madigan, with
(18) all the lawyers-I'd never seen in all the business that I
(19) have done over my years of experience, I have never seen the
(20) amount of legal effort that went into a transaction as small
(21) as this one.
(22) Mr. Madigan. But you were right about ending up in the
(23) fish bowl.
(24) Mr. Volcansek. Yes, it certainly has appeared that
(25) way.

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(1) Mr. Madigan. Now, this meeting that you mentioned
(2) where your friend Mr. Denning was at, that's the same one
(3) that Haley Barbour was at; is that right?
(4) Mr. Volcansek. To which meeting are you referring, Mr.
(5) Madigan?
(6) Mr. Madigan. The meeting that Mr. Baron asked you
(7) about. I thought you had said that Mr. Denning was there,
(8) Mr. Barbour, yourself-
(9) Mr. Volcansek. Mr. Fierce, yes.
(10) Mr. Madigan. Now, let me ask you-or read to you Mr.
(11) Denning's recollection of this and ask you to comment on it.
(12) He was asked in his deposition at page 222, "Do you recall
(13) whether anyone else-did you come to learn whether anyone
(14) else at NPF had discussions with anyone at Young Brothers
(15) Development about whether the source of the funds from the
(16) loan guarantee would come from a Hong Kong corporation?"
(17) And he answered no to that question. And he was in the same
(18) meeting.
(19) Could you comment on that in terms of perhaps the
(20) significance of the discussion?
(21) Mr. Volcansek. Well, I think the answer to that
(22) question, Mr. Madigan, is that, as I tried to point out to
(23) Mr. Baron a moment ago, that it wasn't an issue. I mean,
(24) the significance of it being a foreign transaction, because
(25) of our viewpoint on the whole matter, the fact that I

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(1) mentioned it and brought it up in the overall context of a
(2) long and lengthy meeting about a lot of things, I'm not
(3) surprised that Mr. Denning didn't focus on what I said. It
(4) doesn't surprise me.

(5) Mr. Madigan. Let me ask you one final question in the
(6) practice of asking questions that you are probably not going
(7) to know the answer to. Exhibit 285 that you were shown
(8) previously is the letter written by Mr. Barbour to Mr.
(9) Becker around this time frame, August 30, 1994-and Mr.
(10) Barbour's is going to be appearing here, so we will ask him
(11) about it. But in the first paragraph of the letter where he
(12) says, "It is my understanding that one of your clients-a
(13) domestic corporation," and then down at the bottom, where he
(14) talks about, "I'm confident that the RNC would grant me
(15) authority," blah, blah, blah, "the outstanding debt of the
(16) NPF to a U.S. bank or other lending institution guaranteed
(17) by a U.S. citizen or domestic corporation."

(18) Do you have any knowledge about why he used those
(19) particular terms in the letter he wrote at the time?

(20) Mr. Volcansek. Well, I don't have particular
(21) knowledge, Mr. Madigan, other than the fact that I-you
(22) know, I understand the bank was requesting, you know,
(23) working with the-with Young Brothers Development (USA).
(24) Other than that, I don't have knowledge of why he used that
(25) language. He didn't discuss it with me.

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(1) Mr. Madigan. No further questions. I will reserve the
(2) time.

(3) Chairman Thompson. All right. As part of my 30
(4) minutes, I will-Senator Collins.

(5) Senator Collins. Thank you, Mr. Chairman. Good
(6) morning, Mr. Volcansek.

(7) First of all, Mr. Chairman, I want to associate myself
(8) with your remarks. I, too, am very disturbed at the
(9) minority counsel's intrusive probe into our witness'
(10) background. I am concerned because it is activity of that
(11) sort that discourages people from coming into Government,
(12) from entering into public service. It is just that kind of
(13) activity that sends the wrong signal to people who we want
(14) to take time to serve this country.

(15) Nevertheless, the irony is that inquiry, however
(16) inappropriate it may have been, has given us some very
(17) interesting contrast between the activities of our witness
(18) during his tenure at the Department of Commerce and Mr. John
(19) Huang's tenure during that same-with that same agency.
(20) Indeed, both Mr. Volcansek and Mr. Huang held very similar
(21) positions at the very same agency.

(22) So, with that in mind, I would just like to go through
(23) some of the interesting contrasts that this probe has
(24) uncovered.

(25) First of all, Mr. Volcansek, you may not know, but the

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(1) Committee established last week that during Mr. Huang's
(2) tenure at the Department of Commerce, which was shorter than
(3) your time at the Department of Commerce, he went to the
(4) White House 67 times, and you've testified this morning that
(5) you did not go at all.

(6) Now, is that because there was no reason related to
(7) your official duties for you to go to the White House?

(8) Mr. Volcansek. That is absolutely accurate, Senator.
(9) There was no reason for me as a Deputy Assistant Secretary,
(10) being a mid-level official, to go when you have Assistant
(11) Secretaries and Under Secretaries, much less the Secretary
(12) of Commerce, to address the appropriate issues that need to
(13) be addressed.

(14) When someone's meeting with the President, they want
(15) the highest and most recognizable official to go in there
(16) and meet with the President. And so I certainly was
(17) involved in the information that went to the President, but
(18) I did not go and was not asked to go because it wasn't
(19) necessary.

(20) Senator Collins. That had been Senator Bennett's
(21) experience also serving at the Department of Commerce as
(22) well.

(23) Similarly, you had no ongoing need to conduct business
(24) from a location other than your Department of Commerce
(25) office; is that correct?

22

(1) Mr. Volcansek. Senator, it was my understanding that I
(2) wasn't-you know, that any official wasn't supposed to be
(3) conducting any business other than the business of
(4) Government.

(5) Senator Collins. Just out of curiosity, if you had
(6) learned that one of your fellow Deputy Assistant Secretaries
(7) was repeatedly and periodically going across the street to
(8) another office to apparently make phone calls or pick up
(9) packages or correspondence, what would have been your
(10) reaction to that, particularly if this office-if you knew
(11) that this office was an entity that had business dealings
(12) with the official's former employer?

(13) Mr. Volcansek. Well, I-unequivocally, Senator, I
(14) would feel that that person would warrant serious
(15) investigation within-internally within the Department.

(16) Senator Collins. Turning just briefly to another
(17) issue, you have testified this morning about the
(18) extraordinary legal review that was undertaken of the
(19) transaction of the loan guarantee provided by Young Brothers
(20) company. I just want to make sure that I have all the
(21) players right, because you are not an attorney and I am not
(22) an attorney. It strikes me that there were extraordinary
(23) steps taken to make sure that the loan transaction passed
(24) legal muster.

(25) So we had, first of all, the law firm of Shea and

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(1) Gardner. That was, I understand, the bank's attorney; is
(2) that correct?

(3) Mr. Volcansek. Yes, ma'am.

(4) Senator Collins. Second, we had Benton Becker, who was
(5) the counsel to Mr. Ambrous Young; is that correct?

(6) Mr. Volcansek. Yes, Senator.

(7) Senator Collins. Third, we had Mark Braden of Baker &
(8) Hostetler, who was essentially acting as an independent
(9) counsel; is that correct?

(10) Mr. Volcansek. Yes, Senator.

(11) Senator Collins. And, fourth, we had David Norcross
(12) who is the counsel to the RNC; is that accurate?

(13) Mr. Volcansek. Yes, Senator.

(14) Senator Collins. So essentially we had four different
(15) attorneys looking at this with different clients in mind who
(16) blessed the transaction as legal. Is that an accurate
(17) statement?

(18) Mr. Volcansek. Senator, that's absolutely accurate.

(19) Senator Collins. Thank you, Mr. Chairman.

(20) Chairman Thompson. All right. Senator Lieberman?

(21) Senator Lieberman. Thank you, Mr. Chairman.

(22) Mr. Volcansek, welcome to the fish bowl. Thank you for
(23) your testimony.

(24) Mr. Volcansek, let me read from your statement this
(25) morning and then go on to read a little bit from your

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(1) deposition and then ask you a few questions. Actually, let
(2) me start with something first, just for the record.

(3) Earlier on, you indicated that in your discussions with
(4) Mr. Ambrous Young you had come to believe that one of his
(5) interests was to be able to communicate a point of view he
(6) had on China policy, and there was some reference to that
(7) yesterday by Mr. Becker. But nobody-I don't believe it has
(8) been made clear what his point of view on China was. Is he
(9) pro-Taiwan, pro-mainland, or neither, to the best of your
(10) knowledge?

(11) Mr. Volcansek. Well, Senator, I think it is pretty
(12) clear, for those who would like to read the articles in
(13) Commonsense, what his views were on China policy. I myself,
(14) sir, am not a China policy expert, but I would say that his
(15) focus and interest was the fact that he felt the People's
(16) Republic of China didn't make themselves clear, and that it
(17) should be-the one-China policy should be a policy that was
(18) just clear from both sides. He was just trying to have a
(19) discussion of the issue in which both sides were represented
(20) properly.

(21) Senator Lieberman. Okay. I appreciate that. I take
(22) that to be more inclined toward the mainland, but I will go
(23) back and read the Commonsense articles and-

(24) Mr. Volcansek. Well, sir, I mean, I don't mean to, you
(25) know, ignore or throw off your question. It's just that I

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(1) am not a China policy expert.
(2) Senator Lieberman. Understood.
(3) Mr. Volcansek. And he wrote those articles, and, you
(4) know, they go for the record.
(5) Senator Lieberman. No problem. Let me go back to your
(6) opening statement this morning. "At some point during"-I
(7) am on page 7-"the spring or summer of 1994, I was asked to
(8) aid the NPF in its fundraising efforts. At that point in
(9) time, I was told that the RNC had advanced well over \$2
(10) million to fund the operations of the NPF, and that some of
(11) those loans from the RNC to the NPF were now due."
(12) I am now going to move to your deposition. I am going
(13) to jump around a little bit, but I am just going to read
(14) from your words here. I want to set a predicate for a
(15) question. I am not trying to lead you astray at all.
(16) Let me just create the sense of what was happening at
(17) that time. This is mid-April 1994, conversations with Dan
(18) Denning. "What I remember is that the National Policy Forum
(19) was not receiving the support and the donor base that it had
(20) previously anticipated." That is page 35. Then I go down
(21) to page 36, line 9. "Dan worked like a dog, and he did
(22) everything that he could to make things work. He needed
(23) additional help."
(24) Then I go to page 37, line 9. "The question you are
(25) asking"-this is you speaking again-"Mr. Denning and I

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(1) talked all the time. It would not be unusual for us to talk
(2) four, five times a week. He was consumed with the need to
(3) raise money. We talked about various ways we could do this
(4) a la the types of organizations and the types of companies
(5) that would be involved," et cetera, et cetera. Then I go
(6) down to line 18. "Well, as an example, he mentioned that
(7) the possibility of reaching out since the National Policy
(8) Forum"-parenthetically, I say as you have testified today-
(9) "had the latitude of raising funds from foreign sources that
(10) that was a possibility, and I said we might talk about
(11) that."
(12) Over on page 42 of the deposition, at line 20, where
(13) you are talking about the meeting that you have described
(14) with Mr. Denning and Mr. Fierce, I believe at Mr. Fierce's
(15) home, question: "What were the various possibilities that
(16) you examined with Mr. Fierce and Mr. Denning at the end of
(17) April 1994 about how the NPF could repay the RNC?"
(18) "Okay. Well, first of all...we were discussing the
(19) possibilities of a foreign transaction. Second, we were
(20) discussing the possibility where it would be-it could be a
(21) donation or a contribution to the NPF, a loan to the NPF or
(22) a loan guarantee. We discussed all three of those as
(23) possibilities."
(24) Then I go over to page 51 of the deposition, question:
(25) "Was there any discussion at the meeting about raising money

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(1) from U.S. corporate sources?"
(2) Answer: "I don't recall any discussion on the raising
(3) of money from...U.S. corporate sources. I don't recall any
(4) discussion on that."
(5) And then over on page 53 of the deposition, line 23, a
(6) later conversation after the meeting at the house of Mr.
(7) Fierce. "I told Mr. Denning that I had ideas of foreign
(8) entities, individuals, that I might approach." And then you
(9) go through the conversation which led to the transaction
(10) that we are discussing and that is the focus of the hearing
(11) today.
(12) Here is my question: Why, to the best of your
(13) knowledge, the decision to seek foreign money for the NPF?
(14) I am not raising the question of the legality. I think you
(15) have testified at some length about your efforts, as Mr.
(16) Becker did yesterday, to make this a legal transaction. But
(17) on the face of it, it seems curious to raise money from
(18) foreign sources for an American think tank associated with
(19) an American national political party. Why foreign money?
(20) Mr. Volcansek. Well, Senator, I think that in asking
(21) me that question, primarily my business is international,
(22) and a lot of the people that I talk to and deal with are
(23) international. And-
(24) Senator Lieberman. Excuse me. I don't mean to stop
(25) you, but I accept that. I guess my question is different.

(1) really goes to motivation, to the best of your knowledge.
(2) and the discussions you had with Mr. Denning and Mr. Fierce.
(3) Why not raise this money in the U.S. as opposed to-I
(4) understand you are involved in international business so you
(5) might be well suited to approach foreign sources. Do you
(6) have any recollection about why, other than the fact that is
(7) mentioned-
(8) Mr. Volcansek. Well, Senator, if I could point out,
(9) there was ongoing fund-raising. They had a group of fund-
(10) raisers, hired fund-raisers working within the National
(11) Policy Forum reaching out to U.S. corporations, reaching out
(12) to U.S. individuals, and that their success rate was
(13) insufficient for the needs of the National Policy Forum.
(14) And so the idea, sir, is what they were doing wasn't working
(15) well, and they came to me and asked me for my assistance.
(16) They asked me in an area where my strength is.
(17) Senator Lieberman. Understood.
(18) Mr. Volcansek. If you ask me to go to some place, sir,
(19) that I'm not good at, then I'm not much help to you.
(20) Senator Lieberman. Understood. Yet the fact is that
(21) in the end-perhaps it is a tribute to your ability and to
(22) Mr. Young's generosity and commitment-that it was a foreign
(23) source that put up the substantial collateral necessary to
(24) repay this loan.
(25) Here is what is on my mind, and let me ask it directly.

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(1) On this side of the table, we have all been through
(2) campaigns. And I am not at this moment questioning the
(3) legality. I am trying to make a different point. It would
(4) seem to me that one reason that Mr. Fierce might have raised
(5) the possibility or focused you on a foreign source for this
(6) contribution was, in fact, that foreign sources could give
(7) to a 501(c)(4), and they couldn't give to a political
(8) organization. We are in the middle of an election year. We
(9) have all been through it. Tremendous pressure to raise
(10) money. You wouldn't go-in a way, you wouldn't use up a
(11) domestic source for the NPF because the domestic source
(12) could give directly to the RNC or the RNSEC, the soft money
(13) account we talked about yesterday.
(14) So you go to a foreign source because they can make a
(15) legal contribution to the 501(c)(4), has the effect of
(16) freeing up money for the NPF to continue to operate, has
(17) money to do that, but also to send the money to the RNSEC.
(18) Was that ever discussed?
(19) Mr. Volcansek. I'm sorry.
(20) Senator Lieberman. What's the RNSEC? It is the soft
(21) money account that we referred to yesterday.
(22) Mr. Volcansek. Okay.
(23) Senator Lieberman. It is an RNC sub-account, if I can
(24) put it that way. We might as well say the RNC.
(25) Mr. Volcansek. Well, Senator, you know, I'm listening

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(1) to you, and you certainly make a very logical presentation,
(2) and it certainly makes sense. But in-you know, let's say
(3) that we don't dispute that that may be a possibility that
(4) that was part of Mr. Fierce's thought process.
(5) But I will tell you that they had an overall
(6) comprehensive program for fund-raising and that I was a part
(7) of that process, and the reason that I became a part of that
(8) process was being of the intense need to capitalize the
(9) organization because the Republican National Committee
(10) couldn't lend it any more money.
(11) Senator Lieberman. Right.
(12) Mr. Volcansek. In opposite, sir, it wanted the money
(13) returned that it had already lent it.
(14) Senator Lieberman. I am going to ask the same question
(15) of Mr. Barbour and anybody else I can. Again, I am not
(16) alleging illegality here, but it just seems to me, seeing
(17) the pressure to raise dollars, we are in a campaign, foreign
(18) money can go to a 501(c)(4) but not to the local-if I may
(19) just have a minute, I want to make one final point.
(20) Senator Glenn. One minute.
(21) Senator Lieberman. Thank you, Senator Glenn.
(22) There is a theme that runs through this and the
(23) testimony we heard during the first couple of weeks, and I
(24) think it goes to the problem with the campaign finance
(25) system.

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(1) You say Mr. Dan Denning was working like a dog. He was
(2) consumed with the need to raise money. That sounds so much
(3) like what Richard Sullivan said to us the first week, need
(4) to raise three times more than the DNC did in the 1992
(5) cycle, stop vetting contributors, the pressure to raise. It
(6) sounds very much like what we heard about John Huang,
(7) intense pressure to raise money, what we will hear when we
(8) get to the Buddhist temple, the fund-raiser is held and the
(9) next day he told that he hasn't raised enough, so he goes
(10) back, allegedly, and has the nuns write-the nuns who took
(11) the vow of poverty write out the \$5,000 check, then
(12) reimbursed by the temple.

(13) What I am saying here is that the system has imposed
(14) this relentless pressure on people in it to raise money,
(15) gives them the option of raising soft money, even in this
(16) case foreign money. It is tough for the normal person in
(17) this position to resist it, and it is part of why we have
(18) the problems we have with our system and why I hope in the
(19) end we will change the law to remove some of this pressure
(20) on people. Good people end up doing questionable, maybe
(21) illegal things, when they are under this kind of pressure.

(22) Mr. Volcansek. Well, Senator, I certainly appreciate
(23) what you're saying, and I also empathize with the pressure
(24) that others have felt and certainly that I have felt in the
(25) various activities that I have been associated with. But,

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(1) sir, I have to point out that I think there's a significant
(2) difference here.

(3) Mr. Sullivan and Mr. Huang were involved in the
(4) pressures of fund-raising for a political campaign, direct
(5) political campaign contributions, as I understand it, sir.
(6) And I don't know either of those gentlemen, and I can't tell
(7) you that I listened in very much depth other than what the
(8) media has allowed for it to happen or what my children have
(9) called me and told me what was said.

(10) But let me just say to you, sir, that the difference
(11) here, I think, is that we are talking about, you know, an
(12) entity and we are talking about a think tank which we were
(13) trying to push-and I know you have the documents, and I
(14) know you have seen them, where Haley Barbour was trying to
(15) push two issues. Mr. Baron brought it out from the
(16) documents earlier, trying to push two things. He was trying
(17) to push policy as well as working on his election process.

(18) And that's where Mr. Denning was feeling the pressure.
(19) Senator Lieberman. I understand the distinction you
(20) are making, but the result, if I may say so, was the same.
(21) And the result of the collateral that you arranged to be put
(22) up was that \$1.5 million went to the RNC for use in the 1994
(23) election.

(24) I am not alleging illegality here.
(25) Mr. Volcansek. Yes, sir, I understand.

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(1) Senator Lieberman. I understand all that you did. But
(2) the impact was the same, and I can't help but believe that
(3) Dan Denning must have been under tremendous pressure not
(4) only to raise operating costs, because those would continue
(5) on, but the immediate pressure in the spring of 1994 was get
(6) that money back to the RNC so we can plow it into the
(7) election of 1994.

(8) Thank you, Mr. Chairman. I have taken enough time.
(9) Thanks, Mr. Volcansek.

(10) Chairman Thompson. Senator Domenici?

(11) Senator Domenici. I pass.

(12) Chairman Thompson. Senator Cochran?

(13) Senator Domenici. Can I reserve?

(14) Chairman Thompson. Yes.

(15) Senator Cochran. Mr. Chairman, thank you.

(16) Let me ask you this: I understand from reading your
(17) statement that you said that your "efforts to raise money
(18) during mid- to late 1995 were focused on domestic
(19) individuals and corporations." And "During that time"-and
(20) I am quoting-"I neither solicited nor raised any money from
(21) foreign sources on behalf of the NPF."

(22) Mr. Volcansek. That's correct, sir.

(23) Senator Cochran. That's correct, is it?

(24) Mr. Volcansek. Yes, sir, it is. I raised several

(25) hundred thousand dollars from U.S. corporations in the

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(1) efforts to facilitate the National Policy Forum's efforts on
(2) conducting conferences on issues that were relevant to those
(3) days' issues.

(4) Senator Cochran. And none of the funds that you raised
(5) had been questioned in terms of their illegality or
(6) violative of any rule or law of the United States; isn't
(7) that correct?

(8) Mr. Volcansek. Well, sir, I sit in the fish bowl now.

(9) I certainly hope not. But I am going to just say to you,
(10) sir, that, no, no one has questioned any of those issues,
(11) and they're certainly there for the record that I did
(12) contact those companies. But nobody has asked me about
(13) those funds.

(14) Senator Cochran. I thought Senator Susan Collins
(15) compared your service as Deputy Assistant Secretary of
(16) Commerce with another Deputy Assistant Secretary of Commerce
(17) in a very interesting and effective way. I have one other
(18) question along that same line.

(19) You served as Deputy Assistant Secretary of Commerce,
(20) and that just coincidentally happened to be the same title
(21) that John Huang had when he served in a different
(22) administration. Did you raise any funds for any political
(23) committees while you were serving as Deputy Assistant
(24) Secretary of Commerce?

(25) Mr. Volcansek. Senator, as I said in my statement this

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(1) morning-and I want to say it unequivocally-I was totally
(2) and completely aware, as was every single one of my
(3) colleagues who were under the auspices and the confines and
(4) restrictions and parameters of the Hatch Act, we knew what
(5) we could do and what we couldn't do. And, sir, had we
(6) involved ourselves in any of those activities, we also knew
(7) what would be the consequences of that action.

(8) Senator Cochran. I have no further questions, Mr.
(9) Chairman.

(10) Chairman Thompson. Senator Durbin?

(11) Senator Durbin. Thank you very much, and I just have
(12) two or three questions.

(13) Now, according to your deposition, Mr. Volcansek, you
(14) said that you first met Ambrous Young, you thought in the
(15) period between 1990 and 1992, in a social setting with
(16) Richard Richards; is that correct?

(17) Mr. Volcansek. Yes, sir.

(18) Senator Durbin. Okay. When did you first become aware
(19) of Mr. Young's citizenship status?

(20) Mr. Volcansek. I became aware of Mr. Young's
(21) citizenship status during the 1994 period.

(22) Senator Durbin. And what did you learn?

(23) Mr. Volcansek. In 1994, what I learned was that he was
(24) a citizen of Hong Kong.

(25) Senator Durbin. Were you aware of the fact that he had

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(1) renounced his U.S. citizenship?

(2) Mr. Volcansek. In 1994, yes, sir, I became aware that
(3) he had renounced his citizenship.

(4) Senator Durbin. Were there any discussions involving
(5) the people at the National Policy Forum about the propriety
(6) of relying on someone who had renounced his U.S. citizenship
(7) for so much financial assistance for this think tank?

(8) Mr. Volcansek. Would you ask the question-I mean, it
(9) is the question part I don't hear. I got the last part.

(10) Senator Durbin. Okay. I just wondered if there were
(11) any discussions among your counterparts and friends at the
(12) National Policy Forum about the propriety of relying on a
(13) man who had renounced his United States citizenship for such
(14) a substantial backing of this Republican think tank.

(15) Mr. Volcansek. Senator, we had a discussion as it
(16) related to-in other words, I certainly made it aware that
(17) that was-that that was a situation. To the length of the
(18) discussions or to the parameters of the discussions, I don't
(19) remember.

(20) Senator Durbin. Do you recall whether there was a
(21) discussion about why he renounced his U.S. citizenship?

(22) Mr. Volcansek. Well, I asked that question, and-

(23) Senator Durbin. Of whom?

(24) Mr. Volcansek. Of Richard Richards, sir.

(25) Senator Durbin. And the reply?

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(1) Mr. Volcansek. I understood that it had resolved
(2) around tax issues.
(3) Senator Durbin. So obviously for more favorable tax
(4) treatment, he gave up his American citizenship to become, I
(5) believe a Taiwanese citizen is what we have been told.
(6) Mr. Volcansek. Sir, you know, I—the answer to both
(7) questions is that I'm not sure. I mean, you know, Mr. Young
(8) is Chinese, and which citizenship he actually maintains, I
(9) didn't look at his passport nor did I ever ask him.
(10) Senator Durbin. But did somebody—I mean, Mr. Richards
(11) or one of the principals at National Policy Forum—say time
(12) out here, we ought to think twice about this, this man is
(13) going to end up guaranteeing \$2 million in loans to a think
(14) tank that we are saying is going to promote the Republican
(15) Party of the United States, and he walked away from his U.S.
(16) citizenship for tax purposes, maybe we ought to think this
(17) through again?
(18) Did that conversation or anything like it take place?
(19) Mr. Volcansek. Well, Senator, as I said just a moment
(20) ago, we certainly had a discussion about the fact that Mr.
(21) Young had renounced his citizenship. We were aware of the
(22) fact that he had done so. And I also said to you, sir, you
(23) know, having to go back in memory, since this is the first
(24) time anybody has asked me about this issue, you know, I—at
(25) this time sitting here, I can't recollect what it was that

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(1) we discussed or how far I'd have to think about it.
(2) Senator Durbin. So could you recollect any precautions
(3) that were taken because of this knowledge that he had
(4) renounced his U.S. citizenship? Was there a suggestion
(5) there were certain things that you would do or say about Mr.
(6) Young because of this that you wouldn't say about an
(7) American citizen who supported the Republican Party?
(8) Mr. Volcansek. Well, Senator, you know, we made a
(9) decision to go forward with that transaction, and we dealt
(10) with that transaction, and everything was straight open and
(11) aboveboard.
(12) You know, I don't want you to insinuate that we tried
(13) to hide anything in that regard as it related to him, and
(14) the answer is we made a decision to go forward because we
(15) didn't feel that we needed to go ahead and spend any more
(16) time on the discussion.
(17) You know, you're asking me about something that
(18) happened, you know, a couple of years ago that I haven't
(19) thought about since then.
(20) Senator Durbin. Mr. Volcansek, is it your belief that
(21) the National Policy Forum could have taken this loan
(22) guarantee directly from Young Brothers of Hong Kong, that
(23) there was no necessity for using a U.S. corporation?
(24) Mr. Volcansek. Senator, yes, sir. I was aware of the
(25) fact that Young Brothers Development of Hong Kong could go

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(1) ahead and do that. It was my understanding that part of the
(2) bank's requirement was that it was easier for them, they
(3) felt better about dealing with a U.S. corporation, and that
(4) the bank was the entity that really kind of drove that
(5) vehicle.
(6) Senator Durbin. Were you working with or familiar with
(7) Mr. Baroody in his role as the president of the National
(8) Policy Forum?
(9) Mr. Volcansek. Senator, I indicated earlier in my
(10) testimony I have never met Mr. Baroody.
(11) Senator Durbin. Did you find it odd that you were
(12) playing such a central role in the financing of the National
(13) Policy Forum and never met Mr. Baroody?
(14) Mr. Volcansek. No, sir. I understood that Mr. Baroody
(15) really wasn't interested in fund-raising, and that, in
(16) essence, I was aware that even at the time that I was
(17) involved, that he was basically, you know, probably on his
(18) way out. And so Dan Denning was the chief operating
(19) officer, and that he had been tasked with the responsibility
(20) for dealing with this issue, and as my long-time friend, I
(21) relied on that.
(22) Senator Durbin. It appears from what we have learned
(23) at this Committee that Mr. Baroody was not interested and,
(24) frankly, a little wary of raising money overseas, and maybe
(25) that is why you didn't run into him.

(1) Thank you for your testimony.
(2) Mr. Volcansek. Yes.
(3) Senator Durbin. Thanks, Mr. Chairman.
(4) Chairman Thompson. Thank you.
(5) Senator Smith?
(6) Senator Smith. Thank you, Mr. Chairman.
(7) Mr. Volcansek, when you were contacted initially by the
(8) Committee to come in and be a witness, or the possibility of
(9) your being a witness and being deposed, was there any
(10) indication given to you that your activities prior to 1992
(11) at the Commerce Department were going to be investigated?
(12) Mr. Volcansek. Senator, from the moment that I was
(13) finally contacted by the Committee as it related to me
(14) participating in this review and investigation into this
(15) issue, I was never told that—or was it never revealed to me
(16) that there was any interest in my activities in 1989 to
(17) 1992, and, sir, to be truthful with you, I didn't understand
(18) how the Presidential campaign of 1996 was actually affected
(19) by this particular issue, and I asked my attorney why were
(20) we talking about an issue that happened in 1994.
(21) Senator Smith. What specifically were you told that
(22) you were going to be asked about?
(23) Mr. Volcansek. Senator, I was told that we would be
(24) discussing the Young Brothers loan transaction and my role
(25) in that transaction and the efforts of the National Policy

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(1) Forum in what the National Policy Forum was about and how
(2) those funds were to be used. That was all, sir, that I was
(3) ever told.
(4) Senator Smith. And in your statements to this
(5) Committee and in your deposition and your statements this
(6) afternoon and this morning, you have stated all that you
(7) truthfully know about this transaction, have you not?
(8) Mr. Volcansek. Oh, absolutely, sir.
(9) Senator Smith. Mr. Chairman, I just want to—I have no
(10) further questions of the witness, but I just want to say, at
(11) the risk of perhaps being accused of being a partisan here—
(12) and I don't—there will be some laughter over that, but as
(13) Clark Gable said, "Frankly, Scarlett, I don't give a damn."
(14) The truth of the matter is, Mr. Chairman, this really
(15) bothers me. I don't think any witness on the—quote—
(16) unquote—other side, has been subjected to this kind of a
(17) blanket situation, and I at the appropriate time—and I will
(18) defer to the Chairman to tell me when it is appropriate. I
(19) am going to make a motion that the entire box of documents
(20) that came from Commerce be sent back and not be made a part
(21) of the record of this Committee in any way. I don't believe
(22) that they are relevant. I think it was improper that they
(23) were asked for. And whatever the appropriate time is, I
(24) would like to make that motion and would hope that it would
(25) get the support of the Committee.

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(1) We have a propensity in this town—some people do, and
(2) others enjoy watching it happen—to destroy people's
(3) reputations. And it is tough enough in this town to get
(4) through what you have to do, whether you are a Senator or a
(5) Congressman or an official serving in some other capacity.
(6) But when you are asked here to come and testify on a certain
(7) matter and then you go digging into people's backgrounds, it
(8) reminds me of Mr. Livingstone over at the White House
(9) digging into the 950 FBI files. It is just wrong. And it
(10) ought not to be tolerated.
(11) And you have made the point, Mr. Chairman, but I just
(12) want to support you on that point and say to you that,
(13) whenever it is appropriate, I would like to make such a
(14) motion.
(15) Chairman Thompson. Well, thank you, Senator Smith. I
(16) think we have all had our say on that. Senator Glenn and I
(17) have spoken briefly about it, and we plan to confer in
(18) private on that. And I would ask the Senator to perhaps
(19) hold off until we have an opportunity to do that.
(20) Senator Torricelli?
(21) Senator Torricelli. Thank you, Mr. Chairman, very
(22) much.
(23) Thank you very much, Mr. Volcansek, for being with us
(24) today and for your patience with our questioning.
(25) I was curious. I noticed that earlier you had

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(1) submitted an earlier version of your testimony for the
(2) Committee, and yet the testimony that you offered today
(3) changed on pages 2 to 5 to deal with a variety of matters,
(4) including references to Mr. Baron.
(5) In changing your testimony today, were you in
(6) communication with, receive advice from, or in any way alter
(7) your testimony based on suggestions of any members of the
(8) staff of the Committee?
(9) Mr. Volcansek. Absolutely no, sir.
(10) Senator Torricelli. So, indeed, this is entirely of
(11) your own volition, your change of your testimony?
(12) Mr. Volcansek. Absolutely, sir.
(13) Senator Torricelli. Thank you very much.
(14) Let me go on to several other areas quickly, if I
(15) could. The Committee does have bank records dealing with
(16) deposits.
(17) Mr. Volcansek. Go ahead. I'm sorry, sir.
(18) Senator Torricelli. The Committee does have deposit
(19) records from the banking, but does not have a contributors
(20) list from the National Policy Forum. That listing indicates
(21) that there are potentially three foreign contributors to the
(22) National Policy Forum of which we are aware, but we do not
(23) have the benefit of the full contributors list. They
(24) include not only Mr. Young but two other foreign
(25) corporations as well.

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(1) Do you have--those would be the Pacific Cultural
(2) Foundation made a \$25,000 contribution, and Panda Industries
(3) made a \$50,000 contribution. Are you aware of any
(4) additional foreign contributors to the National Policy
(5) Forum?
(6) Mr. Volcansek. Senator, I wasn't aware of the last two
(7) that you mentioned.
(8) Senator Torricelli. As someone who is associated with
(9) the National Policy Forum, I take it, would you encourage
(10) the forum and believe it would be responsible for them to
(11) release their full list of contributors to the Committee?
(12) Mr. Volcansek. Well, sir, I don't believe that it is
(13) my position to--
(14) Senator Torricelli. I'm asking you your opinion, if
(15) you think it's appropriate for them to withhold it or that
(16) it's responsible not to. Your reputation has now been
(17) connected to the National Policy Forum. You did some work
(18) that benefited them. We asked Mr. Sullivan whether, indeed,
(19) since his reputation involved the Democratic National
(20) Committee, he would give advice for them to do one thing or
(21) another in cooperation. I'm asking you your opinion.
(22) You don't have to offer it either.
(23) Mr. Volcansek. That's right, Senator.
(24) [Laughter.]
(25) Senator Torricelli. Well, I'm glad you're agreeing

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(1) with me, but what are you agreeing to?
(2) Mr. Volcansek. That I don't have to offer my opinion,
(3) sir.
(4) Senator Torricelli. Okay. Then you can withhold it.
(5) Let me ask you opinion then on another matter. Many
(6) of us, as Mr. Durbin has suggested, have found it curious
(7) that a man motivated to renounce his citizenship of the
(8) United States would almost simultaneously potentially have a
(9) larger financial impact on the 1994 elections than any
(10) American labor union, corporation, or individual. It is an
(11) extraordinary juxtaposition of a lack of interest in the
(12) affairs of the United States and then an extraordinary
(13) interest in our electoral process.
(14) In Mr. Bolton's deposition, in answer to a question,
(15) page 79, "Did you-at any time while you were with the
(16) National Policy Forum, were you aware of [Mr.] Young's
(17) citizenship, whether he was a U.S. citizen or not?" His
(18) answer is: "The first I heard...he was a U.S. citizen.
(19) Then, I heard he had renounced his citizenship. At the time
(20) I learned that, there was a lot of discussion about a tax
(21) proposal being considered in the House that might have a
(22) favorable impact on so-called tax exiles."
(23) There is an independent piece of information. In
(24) August of 1994, Haley Barbour apparently met with Mr. Young.
(25) Two weeks later there is a note in the files by Henry

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(1) Barbour that participation in Team 100 is being transferred
(2) to Stephen Young because Mr. Young had given up his
(3) citizenship for tax reasons. I assume at this point you
(4) have read or become aware of these different facts?
(5) Mr. Volcansek. No, sir, I'm-I don't believe that I
(6) have seen them recently or am aware of them.
(7) Senator Torricelli. Well, it is comforting to know,
(8) then, that you weren't watching the Committee's
(9) deliberations yesterday. We reviewed this in some depth.
(10) So to familiarize you with them, it is clear now, both from
(11) the deposition of Mr. Bolton and then from this note in the
(12) file by Henry Barbour, that there was clear knowledge that
(13) Mr. Young's renunciation of citizenship related to his
(14) concern about his tax status and obligations to the United
(15) States Government.
(16) Pursuing that line of inquiry, then, my interest is
(17) that in the House of Representatives in February of 1994,
(18) there was an effort by Democrats to end this tax loophole
(19) and have expatriates not be able to escape their tax
(20) liabilities. And, indeed, Senator Bradley in March of 1995
(21) succeeded in having just such an effort in the Finance
(22) Committee entered. I am wondering whether you have any
(23) knowledge of Mr. Young's meeting with Mr. Gingrich, Senator
(24) Lott, and Senator Dole in early 1995, whether this issue was
(25) ever raised by Mr. Young, his concern about changes of the

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(1) tax laws that would have ended this ability to escape tax
(2) liabilities for expatriates such as himself who chose to
(3) renounce their citizenship?
(4) Mr. Volcansek. Well, sir, first of all, I feel like
(5) you've got a multiple-part question there, and--
(6) Senator Torricelli. Well, let me reduce it to one. Do
(7) you have knowledge whether or not in their meetings with any
(8) of those three Members of the United States Congress the
(9) issue of tax liabilities and efforts by the Democratic Party
(10) to change our tax laws was ever raised?
(11) Mr. Volcansek. I have no knowledge that Mr. Young ever
(12) mentioned anything about tax liability to any of those
(13) gentlemen.
(14) Senator Torricelli. Finally, then--
(15) Mr. Volcansek. And let me just say, sir, let me add,
(16) please, that it would have been inconsistent with the
(17) interest that Mr. Young had for him to have done that simply
(18) because Mr. Young expressed that his main interest--at least
(19) he always expressed it to me--was in pursuing a form upon
(20) which to present the various views on the one China policy.
(21) That is all Mr. Young ever said to me that he was ever
(22) interested in. So I would find it incongruous for him to go
(23) ahead and pursue such a discussion with either of--any of
(24) those gentlemen.
(25) Senator Torricelli. Well, indeed, for his \$2-million

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(1) financial arrangement with the National Policy Forum, he,
(2) indeed, was given what he purchased because he was able to
(3) write letters that were purchased that expressed his views,
(4) although he was not an American citizen, on America's
(5) foreign policy positions regarding China and Taiwan. I am
(6) not discounting that he got what he purchased. I am simply
(7) adding whether he had an additional interest.
(8) It appears that in immediate proximity to Haley Barbour
(9) meeting with Mr. Young, it is communicated to his nephew who
(10) runs Team 100 that there was a renunciation of citizenship
(11) because of tax status.
(12) It is also clear from Mr. Bolton's deposition that he
(13) was aware that citizenship was renounced because of tax
(14) liabilities to the United States Government. Clearly, this
(15) was being communicated. Mr. Young was expressing more than
(16) his interest in American foreign policy towards China.
(17) Clearly, somebody was receiving the message about an issue
(18) that was being widely debated in the Congress at that time,
(19) the changing of our tax laws to deal with expatriates.
(20) As I have suggested, almost simultaneously, the House
(21) of Representatives and the Senate Finance Committee was not
(22) only discussing, but voting upon this very issue.
(23) Also, simultaneously, Mr. Young is meeting with Senator
(24) Lott, Senator Dole, and Speaker Gingrich. However, it is
(25) your testimony that you do not know whether that was

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(1) discussed.
(2) Mr. Volcansek. Sir, it is my testimony that I do not
(3) know whether it was discussed, but I would say to you that
(4) in your discussion just now that my answers to Senator
(5) Durbin's questions are consistent that everybody was aware
(6) of Mr. Young's citizenship and his renouncement of his
(7) citizenship and the fact of why he renounced his
(8) citizenship. So it just goes to show that we were open and
(9) that he clarified the issue.
(10) Senator Torricelli. Okay.
(11) Mr. Volcansek. Sir, the fact that he pursued that or
(12) didn't pursue it as it related to the National Policy Forum,
(13) in all my activities, and I was actively involved in that
(14) process, that never came up. You would have to discuss with
(15) Mr. Richards who was his personal confidant.
(16) Senator Torricelli. My time is going to expire her.
(17) So let me just, in concluding, suggest to you, as someone
(18) who was active in the Democratic Party and believes in the
(19) Democratic Party, I am angered to find that people who
(20) worked for the Democratic Party solicited and received
(21) foreign contributions. It is an offense to all of us who
(22) believe in the party and all those who contribute to it.
(23) When Mr. Sullivan was here, he suggested he considered
(24) it a betrayal himself, and that if the President of the
(25) United States had known about those activities, he would

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(1) have fired the people involved and, indeed, been angry.
(2) You lent your good name to the National Policy Forum.
(3) As a result of your efforts and those of others, it is
(4) arguable that the individual who had the largest single
(5) impact on the 1994 Federal elections of the United States
(6) was a foreign national who renounced his American
(7) citizenship potentially in order to escape tax liabilities
(8) of this country.
(9) The anger that I feel at some who would betray the 2
(10) million Americans who legally, rightfully, and patriotically
(11) contributed to my party, do you not feel yourself a betrayal
(12) and anger at Haley Barbour, at others, who invited to
(13) participate in this process people who do not share our
(14) citizenship or our interests? Was there not a betrayal of
(15) your party that you would express the same outrage that I
(16) believe President Clinton probably feels and Richard
(17) Sullivan felt and that I am expressing to you today?
(18) [Mr. Burchfield confers with Mr. Volcansek.]
(19) [Laughter.]
(20) Senator Torricelli. I think the floor is yours.
(21) Mr. Volcansek. Yes, sir, and you have said a mouthful,
(22) and I--
(23) Senator Torricelli. You are invited to do the same.
(24) Mr. Volcansek. I have to think about it. I have to
(25) think about all the things that you said, and I would like

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(1) to go back to one of the issues that you brought up that I
(2) think I want to make absolutely and unequivocally clear to
(3) this Committee. Many times I had the opportunity to explain
(4) to Mr. Young that he could not participate in our political
(5) process. I explained to Mr. Young that it was impossible
(6) for him to participate in the process of elections and to
(7) directly contribute in any way to the Republican National
(8) Committee or to any individual campaign.
(9) So, sir, I have--the difficulty that I have with your
(10) comments is the fact that you say, you know, am I outraged
(11) at his ability to influence the process of the elections,
(12) when his money couldn't be used for campaigns, and that his
(13) money was used for the National Policy Forum in the fact
(14) that he guaranteed a loan, that, two, he guaranteed a loan
(15) for Signet Bank to the National Policy Forum.
(16) Now, addressing--in fairness, addressing the issue of
(17) the funds that were returned to the Republican National
(18) Committee, those funds went out for, as I understand the
(19) process--and sir, I am not a Federal election lawyer, and I
(20) don't understand. I believe someone--one of the other
(21) Senators mentioned--or no, it was Mr. Baron, I think,
(22) mentioned the types of funds, and I had a difficulty
(23) understanding what the word was.
(24) What is it?
(25) Mr. Burchfield. RNSEC.

(1) Mr. Volcansek. RNSEC. I'm sorry. I'm just not
(2) familiar with the term. I've moved to Houston. I don't
(3) have to keep up with the acronyms now, but let me just say
(4) to you that in that issue, as I understand it, those funds
(5) go to get out the vote; that those support the general
(6) issues of supporting campaigns and getting people to
(7) participate in the political process, not for specific
(8) campaigns.
(9) And I want you to know, sir, unequivocally, without a
(10) doubt, that I was clear on those issues with Mr. Young. So
(11) he never thought that he was influencing an individual
(12) election.
(13) Senator Torricelli. Senator Glenn, if you would give
(14) me 30 seconds just to respond and conclude.
(15) Mr. Volcansek, you seem like a very nice man. You
(16) could not have listened to this testimony before this
(17) Committee in which Mr. Young was told that his contribution,
(18) his loan papers must be advanced in time as soon as
(19) possible, because the November elections were a few weeks
(20) away, and believe that he possibly was under the impression
(21) he was not influencing or advancing the cause of the
(22) Republican Party in the 1994 elections.
(23) It is important, obviously, that you be truthful with
(24) the Committee. It is important that we learn from your
(25) testimony, but obviously, personal credibility is also

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(1) critical to maintain, for each of our own reasons.
(2) Finally, let me suggest to you that of the many things
(3) this Committee may learn, one may be the continued reliance
(4) on people who involved themselves in this process on the
(5) letter of the law, compliance with the advice of counsel,
(6) rather than at some point in the day simply asking
(7) themselves is this the right thing to do, is this something
(8) that I will be proud of and that I want to be associated
(9) with.
(10) I know that you are disappointed in your reliance upon
(11) counsel, and you should be, but it appears to me that at the
(12) end of the day, I do not think you are going to be able to
(13) say that this arrangement, Mr. Young's involvement, its
(14) impact on our electoral process, was simply the right thing
(15) to do.
(16) Thank you, Mr. Chairman.
(17) Chairman Thompson. Senator Domenici?
(18) Senator Domenici. Mr. Chairman, first, I want to tell
(19) you personally that I am very sorry that I have not been
(20) able to attend more of the hearings, and I think you
(21) understand my circumstance. Frankly, I may not be able to
(22) be here this afternoon--I am going to try--because I have
(23) been anxiously waiting for the other side to present their
(24) case, and let me suggest for the record and for anyone
(25) interested, thus far, if you are out there in Oil Patch, you

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(1) would have to say they have hit a dry hole.
(2) I mean, the extent to which distinguished Senators,
(3) like the one from New Jersey, my good friend--I am beginning
(4) to know him. He is an eloquent, eloquent person, but the
(5) extent to which he would carry his last remarks, just an
(6) indication to me that they have no case.
(7) I mean, to suggest that this is a major influence on
(8) the last campaign, when we have not yet been made aware of
(9) how many scores of millions of dollars the labor unions put
(10) in, and yet, he would say this is more important than
(11) anything else. I mean, it has reached the absurdity.
(12) Now, I am hopeful when the day ends that the dry hole
(13) will still be there, and I believe it will. So let me tell
(14) you what I understand and ask the witness a couple of
(15) questions.
(16) First, from the other side, I am always listening
(17) attentively when Senator Lieberman speaks, Senator, and I
(18) have not changed my mind.
(19) Now, I believe he summarized this situation pretty
(20) well. I believe I heard him say that there is nothing
(21) illegal about the transaction we are talking about. Now, if
(22) he did not say that, his wonderful legal mind will soon
(23) bring him to that because how could you have the kind of
(24) legal counsel informing people that it is not illegal and
(25) have us speculate up here that it is illegal. It seems to

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(1) me again reaching out for an absurd situation to peg
(2) something on Haley Barbour.
(3) Now, having said that, I will make two other
(4) observations about where we are and where the people of the
(5) United States are in these hearings, but I want to first ask
(6) just a couple of questions that came to me, as my good
(7) friend from New Jersey worried so much about a Hong Kong
(8) resident who used to be an American citizen.
(9) Now, let me ask you, would you have been worried if a
(10) fund-raiser, coming along for this nonprofit, named Gregori
(11) Loutchansky, who is suspected of being a Russian mafia
(12) boss--would you be concerned about taking money from that
(13) person?
(14) Mr. Volcansek. Well, sir, I wouldn't deal with a
(15) Russian mafia boss.
(16) Senator Domenici. Now, the facts are that he attended
(17) an October 1993 White House Dinner, invited Sam Dom, who
(18) contributed \$160,000 to the DNC.
(19) Now, let me ask you, would you be interested in
(20) negotiating for contributions and requesting contributions
(21) from Roger Tamraz, T-a-m-r-a-z, subject of an international
(22) arrest warrant, and he attended at least six White House
(23) visits, pitched a pipeline deal, and contributed \$170,000 in
(24) contributions to the DNC? Would that kind of person have
(25) impressed you as one you would seek contributions from?

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(1) Mr. Volcansek. No, sir, I would not.
(2) Senator Domenici. How about Jorge Cabrera, convicted
(3) cocaine smuggler and tax evader? Would you be interested in
(4) soliciting money from him?
(5) Mr. Volcansek. Wouldn't want to meet him either, sir.
(6) Senator Domenici. Thank you very much.
(7) Now, the reason I asked that is because I want to tell
(8) you, there was some inference by the distinguished Senator
(9) from New Jersey that when the day has ended, you ought to be
(10) concerned about your testimony and about your feelings here.
(11) Let me tell you, as one Senator in America, I do not think
(12) you ought to feel very bad about it at all. Do you
(13) understand? You came here, and you voluntarily were sworn
(14) in, and you laid it all out before us twice, in a deposition
(15) and here, right?
(16) Mr. Volcansek. Senator, my--
(17) Senator Domenici. Let me just ask, you did not have
(18) anything to be ashamed of, did you?
(19) Mr. Volcansek. No, sir.
(20) Senator Domenici. Do you have anything to be ashamed
(21) of today?
(22) Mr. Volcansek. I have nothing to be ashamed of. I am
(23) proud of my service to my country and to my participation in
(24) this process, and I resent the inference of the Senator.
(25) I'm sorry.

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(1) Senator Domenici. That is fine. I wondered what took
(2) you so long.
(3) Mr. Volcansek. Well, sir, the bell went off before I
(4) had a chance to speak or I would have spoken and address the
(5) issue, but, Senator Torricelli, I am very proud of the
(6) things that I have done in my life. I am not pleased that
(7) this transaction has taken the direction that it has and
(8) that we are in the fish bowl that we are in, and I agree
(9) with this, the Committee's mandate, to focus on revitalizing
(10) and reinvigorating the process to such that it is great for
(11) everybody and good for Americans, but I want you to know,
(12) Senator, I have served my country for several years, and my
(13) family has served this country, and we are proud of it, and
(14) I have done nothing that I am not proud of.
(15) Senator Domenici. Thank you very much.
(16) Do I have some more time?
(17) Mr. Madigan. [Nodding head up and down.]
(18) Senator Domenici. Look, the second point I want to
(19) make, just in the event I am not able to come this
(20) afternoon, I would like to share with you how much you were
(21) contributing to your country by being here.
(22) I have kind of gone through and done a check-off of
(23) witnesses. The minority investigation, in an effort to
(24) equate what Republicans did or what happened in the last
(25) Presidential, to what happened in the President's campaign

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(1) and in the Democratic elections, they have found one witness
(2) unavailable so far. Is that correct, one witness? We had
(3) nothing to do with that witness. That witness is claiming
(4) the Fifth Amendment, but let me suggest--and I would ask
(5) that Exhibit No. 508 be put up.
(6) Now I say to my good friend, Senator Torricelli, who is
(7) better with words than any of us, what kind of a speech
(8) would you make here if you had this chart on your side?
(9) Fifty witnesses have either fled the country or claimed
(10) immunity, 50. So, when it is said that we know the facts
(11) and we know what the White House knew and we know what the
(12) White House thought, frankly that is not true. We have not
(13) been able to interrogate any witnesses about what really
(14) happened in any of these transactions, and beyond that, it
(15) is interesting to note--and I would just ask that Exhibit
(16) No. 509 be put up--for these witnesses are not just innocent
(17) players of an insignificant nature, for we can go down the
(18) list of these who either claim immunity or have fled the
(19) country, and we have a few startling facts, John and Jane
(20) Huang, total contributions, \$204,000; James and Alan Riady,
(21) \$520,000; Lippo entities and employees, \$234,000. Now, the
(22) list is easily read, and you can read the rest of it.
(23) Now, my point is that you and Haley Barbour and the two
(24) previous witnesses are contributing far more than your share
(25) to us trying to find out about campaign financing, and thus

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(1) far, it seems to this Senator, we will never find out what
(2) happened, what really happened with reference to all this
(3) information on Huang and all the others.
(4) Now, last, I want to make a point that I have not made
(5) publicly, and I ask that my fellow Senators think about it
(6) because we ought to do something about it. We asked the FBI
(7) agents of the United States Government, Mr. Chairman, in
(8) closed sessions, will you tell us what you know about John
(9) Huang. Well, first, the predicate, do you know anything
(10) about him, have you investigated him. It becomes obvious
(11) that they have, and then you asked the question, can you
(12) tell us anything about it, and the answer--the answer should
(13) be on the Senate floor with the United States Senate rate,
(14) for who do they seek legal counsel from? The Attorney
(15) General of the United States. Isn't that interesting?
(16) And the Attorney General sends a lawyer over, and every
(17) time we ask him a question, they say we cannot answer that
(18) because there is a criminal investigation, even in secret
(19) session.
(20) Now, Mr. Chairman, how are you going to conduct a
(21) hearing? How are we going to do this when, as a matter of
(22) fact, we do not have enough time right now and we have the
(23) Attorney General, employed by the President of the United
(24) States? And frankly, until very recently, I had great
(25) respect for her. I join you in your criticism, Mr.

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(1) Chairman. I cannot imagine that we are sitting by as the
(2) United States Senate and watching that happen. Every time
(3) we want a fact, we are waiting for a criminal investigation.
(4) Now, let's just talk serious. That criminal
(5) investigation could end in about six months, with nobody
(6) indicted or many, but we will be finished, and we will
(7) be able to find out and tell the American people what they
(8) ought to know.
(9) Now, I think that is what is important, Mr. Chairman,
(10) and if I were here today, this afternoon when Haley Barbour
(11) comes up, that is what I would tell the American people. I
(12) understand that is going to have CNN and maybe a few more
(13) listeners then, this wonderful group of reporters that are
(14) here, and they deserve to know what is going on in terms of
(15) these hearings, and frankly, I am going to say it until we
(16) do something about it. How are we going to get evidence?
(17) Now, I understand we have been unable with some effort
(18) on the part of the State Department--not critical yet of
(19) them--we have been unable to find Charlie Tric. Well, guess
(20) what? Tom Brokaw already found him. He is going on TV.
(21) Isn't it, or has he already been? He was? Well, isn't that
(22) interesting? He can be interrogated, and we cannot
(23) interrogate him.
(24) Thank you, Mr. Chairman.
(25) Chairman Thompson. Senator Cleland?

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(1) Senator Cleland. Mr. Chairman, let me just start off
(2) saying, Mr. Volcansek, we are honored to have you today. We
(3) appreciate your service to our country, and as a fellow
(4) Vietnam veteran, I respect your service. As a fellow
(5) non-lawyer, I respect that as well.
(6) Mr. Volcansek. I like you better already, Senator.
(7) Senator Cleland. And I like you, too.
(8) This is going to be real easy. I just wonder—you are
(9) a straight shooter. There is no question about that, and
(10) you have shot straight with us, and we can ask no more, and
(11) we appreciate that so much, but did you feel that in this,
(12) what I think is the culprit of the whole investigation and
(13) the culprit in our political system, this incredible
(14) unceasing chase and pressure to raise money—did you feel
(15) that Haley Barbour was in a position being both the
(16) money-raiser, the chief money-raiser for the RNC, and also
(17) head of the think tank, that is not supposed to be involved
(18) in politics and supposed to deal with issues and the like,
(19) and actually sought a 501(c)(4) exemption from the IRS—did
(20) you ever feel that he was in a conflict-of-interest
(21) position, that he was under pressure to raise money and that
(22) wearing both of those hats was somehow inconsistent with the
(23) main hat that he wore, the RNC hat?
(24) Mr. Volcansek. Well, Senator, you asked a couple of
(25) questions, and if you ask me did I feel that Haley Barbour

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(1) was under a lot of pressure and because he was wearing both
(2) hats, I don't think there was any question. I think that
(3) Haley Barbour worked as hard as anybody to separate the
(4) issues of the National Policy Forum from the Republican
(5) National Committee, and it reminded of that on several
(6) occasions.
(7) And there is no question in my mind that he felt
(8) tremendous pressure to raise funds, and I believe that his
(9) request to request Mr. Young to release the collateral to
(10) Signet Bank and allow the collateral to be used, to fund
(11) that, to fund the loan, the payment of the loan, I believe
(12) that he did that because he was under so much pressure to
(13) work in so many directions, but having said that, sir, do I
(14) think that he had a conflict of interest? To be perfectly
(15) honest, I never addressed that issue as it related to him
(16) having a conflict of interest or not, but I will agree with
(17) the Senator that I feel that Haley Barbour was as hard a
(18) working chairman of any party as anybody I had ever met, and
(19) I felt it a pleasure to be able to help and try to work with
(20) the process.
(21) Senator Cleland. Thank you very much, Mr. Chairman.
(22) Chairman Thompson. Senator Bennett?
(23) Senator Bennett. Thank you, Mr. Chairman.
(24) Mr. Volcansek, I have been sitting here making notes,
(25) and I will try to collect a series of disparate items, just

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(1) for the sake of cleaning up my own sense of the record, if
(2) not the record as a whole.
(3) First, I think it should be made very clear—there was
(4) a phrase used here that bothered me, and I want to clear it
(5) up. There is no evidence whatsoever that Mr. Young had any
(6) outstanding tax liabilities to the United States Government
(7) at the time he met with Senator Dole. Isn't that true?
(8) Mr. Volcansek. Yes, sir. I am not aware of any.
(9) Senator Bennett. Secondly, the question of Mr. Young's
(10) citizenship has been brooded about a great deal. I would
(11) like to read to you from Mr. Denning's deposition, simply to
(12) put this on the record as to what Mr. Denning's
(13) understanding was. This does not mean it is the right
(14) understanding, but this was his understanding.
(15) He was asked questions on page 147, for those who are
(16) following it, "Do you have any recollection whether you
(17) learned Mr. Young was no longer a U.S. citizen from Mr.
(18) Volcansek closer to October of '94 or closer to those first
(19) conversations in May and June?"
(20) Answer: "I don't, but you have to understand I didn't
(21) particularly care. The loan was with the Young Brothers
(22) Development (Florida)," the point being the loan was with a
(23) company and not an individual. "The loan was with Young
(24) Brothers Development (Florida), and it was—and the company
(25) was owned by the—as I understood it—was controlled and

(1) owned by the sons who were U.S. citizens, for all that was
(2) worth, but it was U.S. company and I was a (c)(4)," meaning
(3) a 501(c)(4) company.
(4) That is Mr. Denning's deposition. We are not talking
(5) about an individual solely here. Yes, he had great
(6) influence, but we were talking about company funds. Isn't
(7) that true?
(8) Mr. Volcansek. That was my understanding, sir.
(9) Senator Bennett. That was the understanding that we
(10) had Mr. Young from the people here.
(11) Further, I would refer those who are particularly
(12) interested in Mr. Young's attitude towards the U.S.
(13) Government and his citizenship thereof to go back and review
(14) Mr. Becker's comments on this point, Mr. Becker, his lawyer,
(15) who was asked about this at some length, and I will not take
(16) the time to go over it again, but once again, Mr. Becker's
(17) testimony would make it clear that any implication that Mr.
(18) Young did what he did on the basis of owing any tax
(19) liabilities to the U.S. Government is not a correct
(20) implication.
(21) Now, let us step aside for just a moment and look at
(22) the thing overall. It is clear to me, individually as a
(23) single Senator coming to this process, that the decision to
(24) create the NPF was a mistake. That does not make it
(25) sinister. That does not make it improper. That does not

(1) even make it stupid, except in hindsight. There are a lot
(2) of intelligent people who have made mistakes.
(3) The folks at Coca-Cola put a little extra sugar in
(4) their formula and tried to market it as the new Coke and
(5) ended up spending millions of dollars reintroducing their
(6) old product back into the market because they made a pretty
(7) dumb mistake.
(8) The folks at Ford took a Mercury, put a new grille on
(9) it, called it the Edsel and tried to market it as a new car
(10) and ended up in serious trouble from that mistake.
(11) I think the NPF was clearly a mistake, but as I say,
(12) that does not make it sinister. It was a mistake
(13) demonstrated by the marketplace to me. I am a great
(14) believer in market forces. A think tank was created. You
(15) and others like you were sent out to raise funds for that
(16) think tank, and the market said, by its refusal to supply
(17) those funds, we do not think this is a good idea, and
(18) ultimately, it failed, just like the new Coke and the Edsel.
(19) and you had to pull the plug and a lot of people got hurt
(20) financially when the plug got pulled, including you, as I
(21) understand from your testimonies. Is that true?
(22) Mr. Volcansek. Yes, sir.
(23) Senator Bennett. That you were promised a payment that
(24) you did not get because they just did not have the money?
(25) Mr. Volcansek. That is correct, sir.

(1) Senator Bennett. Now, if it was set up for the purpose
(2) of laundering foreign money into the Republican National
(3) Committee, as I said yesterday to Mr. Baroody, then it was
(4) one of the most inept circumstances I have ever seen. If
(5) the people at the Republican National Committee set out to
(6) find a way to launder foreign money and get it into the
(7) political campaigns, then we need smarter people at the
(8) Republican National Committee. They ended up losing money.
(9) Indeed, they were the largest loser of money in this whole
(10) operation, isn't that true?
(11) Mr. Volcansek. Yes, sir, as I pointed out in my
(12) testimony earlier.
(13) Senator Bennett. The Republican National Committee
(14) lost more than Mr. Young did, didn't they?
(15) Mr. Volcansek. Well, that's what I understood, sir.
(16) Senator Bennett. That is my understanding from the
(17) testimony we had yesterday. So you look at it from its
(18) impact policy-wise; you didn't have much. You look at its
(19) financial impact; it cost the Republican National Committee
(20) a pot full of money. You look at it in terms of personal
(21) relationships; it hurt you personally. It clearly alienated
(22) Mr. Young, a lifelong supporter of the Republican Party.
(23) Again, as I said yesterday, I wouldn't want to be the fund-
(24) raiser who now calls Mr. Young and asks him to make another
(25) contribution.

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(1) Mr. Volcansek. Well, I won't be, sir.
(2) Senator Bennett. I can understand that.
(3) Whether it was a mistake or not, there it was, and it
(4) had a debtor that was pressing it for repayment, and
(5) pressing it hard for repayment of a debt. And you were
(6) called in to try to help it relieve the pressure from that
(7) debtor. You responded to that and helped arrange the loan
(8) guarantee.
(9) Some may find it sinister that the debtor pressing for
(10) repayment of its debt was the Republican National Committee.
(11) But if the debtor had been the First Bank of the Mississippi
(12) or the East Bank of the Mississippi, or whatever, a bank
(13) demanding payment, wouldn't the pressure on you have been
(14) just as great to meet that deadline? The NPF would have
(15) gone out of business if the debtor had demanded that a
(16) deadline be met. Wasn't that true?
(17) Mr. Volcansek. That is unequivocally true, sir.
(18) Senator Bennett. So we are making a great deal out of
(19) the fact that the debtor is the Republican National
(20) Committee. Now, I think the Republican National Committee,
(21) again, made a mistake in waiting as long as it did to
(22) pressure for this money. They are in the middle of an
(23) election. Again, if I were a member of the Republican
(24) National Committee, I'd be saying, What are you doing
(25) putting money into this think tank when we can use it in

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(1) elections? And then I am told, well, they will pay it back.
(2) When? I want it paid back now.
(3) Is there anything illegal about that kind of action
(4) from your point of view?
(5) Mr. Volcansek. No, sir. I understood it.
(6) Senator Bennett. I understand it, too. I have been on
(7) both sides of that. I have been in the circumstance where
(8) the collateral that I put up has been called, and it is not
(9) a friendly, wonderful experience.
(10) I have also been in the circumstance where I was owed
(11) money and I needed it for other purposes, and I put as much
(12) pressure as I possibly could on people who owed me the
(13) money. I have even settled at 50 cents on the dollar just
(14) to get the ready cash.
(15) So, Mr. Chairman, I don't see anything sinister about
(16) this at all. Do I see something that I consider a mistake?
(17) Absolutely. Absolutely. The Republican National Committee,
(18) Haley Barbour, made a mistake, just like Coke and Ford when
(19) they thought they could create something that would have
(20) ready support in the marketplace. And you as one of the
(21) marketers found out that that support wasn't there. And
(22) when it was finally clear the support wasn't there, the plug
(23) was pulled.
(24) Now, one final point. The suggestion has been made
(25) that we should be angry if foreign money got into something

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(1) that we feel important and feel strongly about. I am
(2) tempted to use the Kennedy Center where on the wall there is
(3) a demonstration of a lot of foreign corporations. But let's
(4) stay with think tanks.
(5) It is my understanding that foreign corporations have
(6) contributed to the Center for International Studies. Would
(7) you find any problem with that?
(8) Mr. Volcansek. No, sir.
(9) Senator Bennett. Neither do I. I don't know if any
(10) foreign corporations have contributed to the Brookings
(11) Institute or the Aspen Institute or other groups with which
(12) I have affiliations, but I would not be in the least
(13) disturbed if I found out that was the case, because none of
(14) those organizations has ever bought a political ad, done a
(15) get-out-the-vote campaign, endorsed a candidate, and neither
(16) has NPF. Is that true?
(17) Mr. Volcansek. Yes, sir, that's my understanding.
(18) Senator Bennett. Thank you, Mr. Chairman, for allowing
(19) me the opportunity to clean up some of these miscellaneous
(20) items.
(21) Chairman Thompson. Thank you, Senator Bennett. And I
(22) for one am glad I don't owe you any money.
(23) [Laughter]
(24) Senator Torricelli. Mr. Chairman, if Senator Glenn
(25) would afford me a minute of time?

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(1) Mr. Volcansek, you raised my name, as Senator Domenici
(2) did, and made clear your own feelings about my questioning
(3) whether you were acting in the best interest of this
(4) country. This isn't about your patriotism or fidelity with
(5) this country. Anyone who serves the United States we admire
(6) and we appreciate it.
(7) It is about whether there is something to be learned by
(8) this experience and whether or not our country was served by
(9) the activities of the National Policy Forum.
(10) Elections in the United States of America are not like
(11) Coke and Pepsi, and the operations and the funding of our
(12) Federal campaigns are not analogous to the Kennedy Center.
(13) This is about whether or not the people of the United States
(14) can make their own choices, influenced by their own
(15) contributions, and have an internal debate that is free of
(16) the influence or manipulation of others.
(17) It is clear the Democratic Party made some profound
(18) errors in the conduct of the 1996 campaign. It is
(19) increasingly equally clear that the Republican Party did the
(20) same.
(21) You were a party to the activities of the National
(22) Policy Forum. Late in the election cycle of 1994, the
(23) Republican National Committee found itself without
(24) sufficient resources to conduct that campaign. At times, it
(25) was largely without resources. True to the predictions of

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(1) Mr. Barbour, money was urgently needed. The loans extended
(2) by Mr. Young to the National Policy Forum allowed the
(3) Republican National Committee to be repaid, and that money
(4) was quickly, almost immediately distributed throughout the
(5) United States.
(6) If you resent the line of this questioning, let me
(7) suggest to you some people who really resent what happened.
(8) Could I have Slide No. 302, please?
(9) In nearly 20 States, \$1.5 million was distributed that
(10) led to the defeat in part of 26 different individuals who
(11) were citizens of the United States who sought to serve or
(12) continue to serve in the House of representatives. Some of
(13) these races were lost by 2,000, 3,000, and 5,000 votes.
(14) They were exceedingly close.
(15) I share Senator Domenici's outrage that some people
(16) refuse to testify before this Committee. I share his
(17) outrage, but not his relevance to this line of questioning.
(18) I share the fact that you don't like to have your
(19) participation questioned. I wouldn't either. But the fact
(20) remains the influence on the elections of the United States
(21) are clear. Our national debate was changed.
(22) You may today say you have no regrets. I don't know
(23) you, but I doubt that position will hold as the months
(24) unfold. For neither political party was this a proud
(25) chapter.

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(1) I read once an analysis that remained with me that it
(2) was said once of the Bourbon kings they never forgot and
(3) they never learned. It is our intention by this Committee
(4) that all of us who participate in this political process
(5) learn something by this experience. No, Mr. Volcansek, the
(6) National Policy Forum was not a proud chapter. It was a
(7) mistake. It wasn't like Ford and Pepsi or the Kennedy
(8) Center. It was foreign influence in the electoral process
(9) of the United States, and this Committee is about the
(10) business of making sure it never happens again.
(11) Thank you, Mr. Chairman.
(12) Senator Bennett. Mr. Chairman, may I make one quick
(13) comment?
(14) Chairman Thompson. Yes, Senator.
(15) Senator Bennett. I see the chart, and I shall not
(16) attempt to suggest that I have any expertise beyond the
(17) State of Utah. But I see one of the red number plus-ones in
(18) the State of Utah. I participated in that campaign. I know
(19) the circumstances of that campaign. And I am willing to
(20) stipulate that whatever Mr. Volcansek did or didn't do with
(21) respect to Mr. Young could not have saved the Democratic
(22) seat in Utah in that campaign.
(23) Thank you.
(24) Chairman Thompson. I noticed also a pick-up of a
(25) couple of Tennessee seats there, and by pretty substantial

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(1) margins, if I remember correctly. Those gentlemen will be
(2) surprised to learn, too, that it wasn't the people of
(3) Tennessee really who chose them, that it was due to the
(4) efforts of Mr. Ambrous Young in Hong Kong. But--
(5) Senator Torricelli. Mr. Chairman, if you would yield
(6) on that point, they might be surprised by it, but I doubt
(7) they would be proud that Mr. Young's money allowed
(8) contributions of \$10,000 and \$20,000 or more in each of
(9) those States to eventually be spent in their local
(10) campaigns.
(11) Chairman Thompson. I think--
(12) Senator Torricelli. The fact that they would be
(13) surprised is exactly the point. I don't think the people of
(14) Tennessee or Utah wanted Mr. Young involved in their local
(15) elections. And whether or not it would have been decisive,
(16) we will never know. The point is it wasn't right.
(17) Chairman Thompson. I--
(18) Senator Bennett. I don't believe Mr. Young was
(19) involved in their campaigns.
(20) Chairman Thompson. Well, we are engaged in a lot of
(21) speculation about what was done with that money. That is a
(22) very valid question. So far we haven't had anybody who has
(23) any direct personal knowledge of where those funds went.
(24) Presumably, Mr. Barbour will be able to address that, and I
(25) am personally interested in that. If, in fact, those monies

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(1) were funneled through the party and out to the States in
(2) these campaigns, that is very disturbing. We need to know
(3) that.
(4) But we can talk here, you know, an hour past lunchtime
(5) about it, or we can get on about finding a witness who maybe
(6) knows something about it. I would suggest that we do that.
(7) Mr. Baron?
(8) Mr. Baron. Very briefly, Mr. Volcansek. Amidst all
(9) this, can we agree that at least two facts emerged from your
(10) testimony, among others: first, that the money that
(11) supported the loan guarantee through the purchasing of CDs
(12) as collateral originated in Hong Kong; and, second, that
(13) this was knowledge that was shared prior to October 13,
(14) 1994, which was the date of the loan--you were aware of it,
(15) Mr. Denning was aware of it, Mr. Fierce was aware of it, and
(16) Mr. Barbour was aware of it?
(17) Am I accurate that at least those two things emerged
(18) from your testimony?
(19) Mr. Volcansek. Well, Mr. Baron, I'm going to take this
(20) opportunity to also address an issue that Senator Torricelli
(21) made. Thank you.
(22) First of all, I would like to say that, Mr. Chairman, I
(23) do not question nor resent being questioned about my
(24) activity in this process. It's a healthy process and it's
(25) what needs to be done, and I commend you, Mr. Chairman, and

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(1) the Committee for doing so. I resented, as I try to state
(2) to Mr. Senator Torricelli that what I resented was an
(3) impugning of my reputation and my character. That, sir, is
(4) what I resented.
(5) Now, Mr.--
(6) Chairman Thompson. Well--
(7) Mr. Volcansek. Yes, sir?
(8) Chairman Thompson. I think I would be the last person
(9) Senator Torricelli would want to speak for him, but I don't--
(10) I think it is safe to say that I don't think he intended to
(11) do that.
(12) Mr. Volcansek. Well, sir, that was my perception, and
(13) that was why I made the comment that I did.
(14) Chairman Thompson. If I am not correct, then he can
(15) correct me later.
(16) Mr. Volcansek. Well, fine, sir.
(17) Mr. Baron, I would like to state that I remember
(18) telling Messrs. Barbour, Denning, and Fierce about the fact
(19) that these funds that were to be utilized to secure the loan
(20) at Signet Bank were originated in Hong Kong as a loan to
(21) Young Brothers Development (USA). I remember telling them
(22) that. Again, sir, as you wish to make sure that the facts
(23) are clear, I want to make sure that the facts are clear, and
(24) that is, that because it was considered an irrelevant issue,
(25) because of the fact that this was a 501(c)(4) corporation,

(1) because of the fact that the source of funds was considered
(2) to be legally irrelevant, therefore, sir, it does not
(3) surprise me that we could--we or they ignored that issue. I
(4) mean, not necessarily ignored but didn't focus on it.
(5) Mr. Baron. Understand. Thank you.
(6) Mr. Volcansek. Okay.
(7) Chairman Thompson. Senator Glenn?
(8) Senator Glenn. Mr. Chairman, I know we have gone over
(9) and we have gone far afield on some of these things this
(10) morning, but I think Mr. Baron's final question here was
(11) very appropriate, because whether at the time Mr. Volcansek
(12) was involved very directly with a 501(c)(4) or what he
(13) believed to be a pure 501(c)(4) institution, later on the
(14) money from that was transferred for purposes after he
(15) probably was not involved with it there which violated it,
(16) and I think Mr. Baron's point in making sure that we did
(17) realize the money came from Hong Kong and that Mr. Barbo
(18) did know about its source. But whatever happened later on,
(19) when a 501(c)(4)--I think we will be able to show--we have
(20) already shown went awry from its original purposes, in fact,
(21) to the point where the 501(c)(4) categorization was never
(22) granted.
(23) I think that is the point that we have--that is what
(24) comes out of this morning's hearing. I thank you.
(25) Chairman Thompson. All right. Senator Glenn, what do

(1) you think, 2:30?
(2) Senator Glenn. Well, we have a vote.
(3) Chairman Thompson. We have a vote at 2 o'clock.
(4) Senator Glenn. We have at least one vote at 2 o'clock,
(5) I guess.
(6) Chairman Thompson. So let's recess until 2:30.
(7) [Whereupon, at 1:24 p.m., the Committee recessed, to
(8) reconvene at 2:30 p.m., this same day.]

AFTERNOON SESSION

(1) [2:41 p.m.]
(2) Chairman Thompson. The Committee will come to order,
(3) please.
(4) Our next witness is Mr. Haley Barbour. Mr. Barbour,
(5) would you stand and raise your right hand, please? Do you
(6) solemnly swear that the testimony you are about to give will
(7) be the truth, the whole truth, and nothing but the truth, so
(8) help you, God?
(9) Mr. Barbour. I do.
(10) Chairman Thompson. I will defer my time, Senator
(11) Glenn, if you have questions.
(12) I am sorry, Mr. Barbour, do you have a statement?

(1) TESTIMONY OF HALEY R. BARBOUR, FORMER CHAIRMAN,
(2) NATIONAL POLICY FORUM, FORMER CHAIRMAN, REPUBLICAN
(3) NATIONAL COMMITTEE, ACCOMPANIED BY TERRENCE
(4) O'DONNELL, ESQ., DENNIS M. BLACK, ESQ., PAUL C.
(5) RAUSER, ESQ., WILLIAMS & CONNOLLY, WASHINGTON,
(6) D.C.
(7) Mr. Barbour. Senator, I'd like to make some remarks,
(8) if I may.
(9) Chairman Thompson. All right, sir.
(10) Mr. Barbour. First, I would like to thank the
(11) Senators, and thank you all, including the minority, for
(12) allowing me the opportunity to tell you and the voters the
(13) facts about the Republican National Committee and the
(14) National Policy Forum, to dispel, to refute the inaccurate,
(15) incomplete, misleading, misinterpreted, and outright false
(16) claims about these two outstanding organizations, and
(17) frankly, to put the lie to some infuriatingly phoney charge
(18) which are aimed at me personally.
(19) To be candid, and since I am under oath to tell you the
(20) truth, I have to tell you I don't appreciate the way some
(21) people have decided their interests are served by attempt
(22) to run down the Republicans and trying to smear me. I
(23) understand politics a little bit, and I recognize the
(24) everybody-does-it defense when I see it.
(25) What I don't understand is some people's willingness

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[1] attack others, even if they have to ignore and embellish the
[2] facts to do it, and I resent that.
[3] In fact, Senator Glenn, I find myself in agreement with
[4] something you once said in a similar situation. In 1989,
[5] when you were being attacked in an ethics scandal, your
[6] anger showed through. On David Brinkley's show one Sunday,
[7] Senator Glenn, you said, and I quote, "Honesty and integrity
[8] are my life, and any implication that I've done something
[9] wrong in this case is just flat wrong, and I resent it with
[10] every fiber in my being." Senator Glenn, I understand very
[11] well the resentment that boiled up in you during that
[12] inquiry, but I am going to do my best to keep my own outrage
[13] under control, both out of deference to the Senate, but also
[14] because my interest is served by getting out the truth and
[15] the public knowing the facts and putting all the cards on
[16] the table face up.
[17] In fact, Senator Glenn, I note in an editorial written
[18] during the Keating Five affair by the Cleveland
[19] Plain-Dealer, I guess the biggest paper in your State, the
[20] editorial said, "There is a risk that before a painstaking
[21] investigation, innuendo will outweigh evidence; that through
[22] the mere repetition of unproven charges, Glenn will be tried
[23] and convicted by public opinion. Trial by headline is an
[24] unfair way to judge this case." Amen to that.
[25] The Plain-Dealer went on to say, Senator Glenn, that

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[1] you had been forthcoming about the facts and told your story
[2] in great detail. Well, that is my intention today, to set
[3] the record straight about the National Policy Forum and to
[4] do as you did, to try to get out the facts in detail.
[5] The first and most important fact is that everything
[6] the National Policy Forum did was legal and proper,
[7] everything, and everything about the Republican National
[8] Committee's relationship with the National Policy Forum was
[9] legal and proper.
[10] Senators, you are now investigating illegal activities
[11] in connection with the 1996 Federal election campaigns. I
[12] don't know of any illegal activities by either NPF or the
[13] RNC connected with the 1996 Federal election campaigns.
[14] Indeed, as you will see, the National Policy Forum engaged
[15] in no activities at all connected with the 1996 Federal
[16] elections, or any other elections for that matter.
[17] It is clear to me that some of the--it is clear to me
[18] from some of the things said by members of this Committee
[19] that some of you don't know much of anything about the
[20] National Policy Forum, about what it did and didn't do,
[21] about what it could and couldn't do.
[22] The National Policy Forum was the most participatory
[23] public policy institution ever. It succeeded in allowing
[24] literally tens of thousands of community, business and local
[25] political leaders, and just average citizens to have their

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[1] voices heard on the issues facing Government. People want a
[2] voice. They don't expect everybody to agree with them all
[3] the time or for the policy to always be what they want it to
[4] be, but people want somebody to listen to them. NPF made
[5] listening to America and to these Americans the first and,
[6] in my opinion and in the opinion of Mike Baroody as first
[7] president, its most important function.
[8] The National Policy Forum was modeled after the
[9] Democrat Leadership Council, a nonprofit corporation,
[10] separate from the party organization, which focused on
[11] policy and issues, not campaigns and elections. A key
[12] difference with the DLC, however, was that NPF sought out
[13] grassroots participation and got it. Elected officials took
[14] part in NPF, but they were in the minority by far.
[15] To accomplish this bottom-up participation, 14 policy
[16] councils were created as the operating arms of the National
[17] Policy Forum. Each was assigned an area of policy, and each
[18] had as its co-chairs two outstanding leaders, who are shown
[19] on this chart. As you can see, the policy council co-chairs
[20] are an outstanding group, including former and current U S
[21] Senators, as well as governors, House members, and scholars.
[22] In 1993 and 1994, NPF held more than 60 public forums,
[23] each under the auspices of one or more of the policy
[24] councils and each concerned with one cluster of issues.
[25] This map that will be put up in a moment--this map depicts

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[1] where each was held, and a list of the forums, I believe,
[2] has been provided to you at your seats.
[3] I want to emphasize that every forum was open to the
[4] public. In fact, NPF ran ads in local papers and sometimes
[5] on radio to urge the public to attend. About 10,000 people
[6] attended these forums, which were held in more than 30
[7] States.
[8] In addition to the public, the news media attended
[9] these forums, and from all accounts and from my own
[10] experience, reporters were surprised the forums focused on
[11] policy and not campaigns. NPF has provided this Committee
[12] with dozens of hours of video and audio tapes of the forums,
[13] as well as with transcripts. I don't know how many of you
[14] have had an opportunity to review those tapes, but if you
[15] have, you know the National Policy Forum had a policy of no
[16] electioneering and that it was effectively enforced at these
[17] policy forums.
[18] A feature of the forum process was a listening panel,
[19] where the co-chairs, elected officials or whoever was
[20] representing NPF listened not only to the witnesses, but
[21] also to the public. A major part of every forum was
[22] dedicated to comment and discussion by the audience, by the
[23] public.
[24] This series of 60-something public forums formed the
[25] basis for NPF's first book, "Listening to America," which

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[1] was published in the summer of 1994. I don't have one in my
[2] hands, but I believe we have provided to you a copy of it
[3] both in its full-length version and in its summary form.
[4] "Listening to America" was published in 1994. "Listening to
[5] America" reflected what our policy councils heard from the
[6] public, and I was especially pleased that hundreds of policy
[7] council members actively participated in the drafting and
[8] the refining of this book.
[9] I should add, about 1,500 people served on these 14
[10] policy councils. They are listed, and you will find a list
[11] of them in the back, in NPF's second book. Most of these
[12] people were not elected officials. Most were not from
[13] Washington. Again, this was a big difference with the DLC
[14] approach, and this difference stemmed from the Forum's goal
[15] of having a grassroots, participatory process.
[16] As I said, the follow-on to "Listening to America" was
[17] a second book, "Agenda for America," which was published in
[18] 1996.
[19] Where the first book reflected what NPF heard from the
[20] people, "Agenda" contained the recommendations of the policy
[21] councils to implement the policies "Listening to America"
[22] reflected. Again, there was a tremendous amount of
[23] participation by hundreds of policy council members in the
[24] drafting stage, which was completed in late 1995. I
[25] believe, again, the Committee has been provided a copy of

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[1] "Agenda for America" today, but I want to make one point. A
[2] copy of this book was sent to every member of Congress,
[3] regardless of party, when it was published last year.
[4] Now, in addition to the forums and the two books, NPF
[5] conducted a number of issue conferences in 1995 and 1996.
[6] Nearly all the forums of the previous two years had been
[7] held away from D.C., but the conferences and other events in
[8] 1995 and 1996 were mostly here in Washington.
[9] Now, many of these conferences drew large crowds. It
[10] was common to have 5- or 600 people in attendance. Often
[11] many out-of-town policy council members came to Washington
[12] to attend. These were serious events. I recall once that
[13] 12 or 15 ambassadors to the United States from foreign
[14] countries attended one of the conferences on trade or
[15] foreign affairs. The quality of the presentations was that
[16] high.
[17] Combining the forums and the conferences, there were
[18] more than 80 public events, all open to the public, and I
[19] estimate about 20,000 people attended those more-than-80
[20] events.
[21] The National Policy Forum published a quarterly journal
[22] called Commonsense. As with "Listening to America" and
[23] "Agenda for America," the Committee has been provided copies
[24] of all the editions of Commonsense.
[25] I have for you, and I think you have all been given--we

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(1) have put up a chart of a list of just some of the well-known
(2) authors of articles and speeches that were run in
(3) Commonsense. It is not only a very impressive list of which
(4) the Forum is justly proud, but if you look at it, you will
(5) see that not even all of the authors were Republicans.
(6) Now, as you can see from all the National Policy Forum
(7) achieved, the New York Times was way off base when it
(8) described it as a sham. It was anything but a shell
(9) organization, which is the way Senator Glenn described it
(10) two weeks ago. The National Policy Forum spent about \$8
(11) million to conduct its forums and conferences and to create
(12) and distribute its publications, and I am very proud of what
(13) NPF accomplished, as I am sure the vast majority of the more
(14) than 1,500 policy council members are.
(15) The National Policy Council is and was and is a
(16) separate organization from any other organization. Like the
(17) Democrat Leadership Council, which Senator Lieberman chairs,
(18) and Democratic National Committee Chairman Romer serves as
(19) vice chairman, NPF is a nonprofit corporation. Like the
(20) DLC, it is not covered by the Federal Election Campaign Act
(21) or subject to the jurisdiction of the Federal Election
(22) Commission, the FEC, and just as the DLC is separate from
(23) the DNC, the NPF is separate from the RNC.
(24) NPF has its own separate board of directors, composed
(25) of distinguished Americans, some of whom you know personally

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(1) from their service to our country. The National Policy
(2) Forum had its own separate management, had its own separate
(3) staff, had its own separate offices, had its own separate
(4) bank accounts, had filed its own separate tax returns, had
(5) its own separate books which were audited independently by a
(6) Big Six accounting firm, and we have given the Committee
(7) copies of the annual audits of the books.
(8) Senator Glenn has said the NPF was an arm or subsidiary
(9) of the RNC. That is not correct. Indeed, I had originally
(10) considered establishing the policy institute as a part of
(11) the RNC. Over time and before it was founded, however, I
(12) came to the conclusion that the policy institute should be
(13) separate from the RNC for a variety of reasons, and if later
(14) you want to discuss any of these reasons, I will be glad to
(15) discuss them with you in detail, but I should say now, none
(16) of these reasons had anything to do with foreign
(17) fund-raising, which was irrelevant to why NPF was
(18) established and maintained as a separate organization.
(19) I mentioned a moment ago, both NPF and the DLC, the
(20) Democratic Leadership Council, are not subject to FEC
(21) jurisdiction. I know most of you have not been involved in
(22) one of these nonprofits, as Senator Lieberman and I have.
(23) So I think I should give you a little more background than
(24) he maybe needs.
(25) Nonprofit and other organizations, like the DLC and

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(1) NPF, are not covered by the FEC unless they advocate the
(2) election or defeat of a candidate for Federal office. That
(3) is what triggers FEC jurisdiction under the Federal Election
(4) Campaign Act, the FECA, which is the name of the Federal
(5) campaign finance law.
(6) The tax status of a nonprofit corporation, whether it
(7) is a 501(c)(3), (c)(4), or whatever, has nothing to do with
(8) whether or not that organization is covered by the Federal
(9) Election Campaign Act. The test is whether the organization
(10) advocates the election or defeat of a candidate for Federal
(11) office.
(12) Why was NPF not covered by the Federal Election
(13) Campaign Act? Because of the facts. The National Policy
(14) Forum did not advocate the election or defeat of any
(15) candidate for any office, Federal or otherwise. It did not
(16) make contributions to any political party, campaign, or PAC.
(17) The National Policy Forum didn't have or support a PAC. It
(18) did not run any political advertising. It did not make any
(19) independent expenditures on behalf of any candidate,
(20) campaign, or party. It did not run any issue advocacy
(21) advertising. It did not conduct or support any voter
(22) registration or get-out-the-vote activities. In fact, as I
(23) said earlier, the National Policy Forum did not conduct any
(24) activities connected to the 1996 Federal elections.
(25) Some of the activities I mentioned, by the way, are

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(1) allowed many organizations not covered by the Federal Election
(2) Campaign Act, but the National Policy Forum had a policy of
(3) refraining from all of them.
(4) Like the DLC, the Brookings Institution, the Heritage
(5) Foundation, and many, many other organizations, NPF is not
(6) subject to the Federal Election Campaign Act, and NPF could
(7) legally accept contributions from non-U.S. sources. The
(8) Forum received one foreign contribution. It was a \$25,000
(9) contribution in 1996 from the Pacific Cultural Foundation,
(10) which is a Taiwan organization which, Senator Durbin, has
(11) done such things as sponsor the appearance of the Classical
(12) Symphony Orchestra of Chicago on Taiwan. The contribution
(13) made up about one-half of 1 percent of total NPF revenue.
(14) To reiterate, it is perfectly legal for NPF to accept this
(15) or any other contribution, just as the DLC can.
(16) Some people, some of you, in fact, have said NPF was a
(17) funnel for the RNC, was a device to circumvent campaign
(18) finance law, and was used to launder illegal foreign money.
(19) Those claims are wrong. They are not true. Whether made
(20) out of lack of knowledge, receipt of inaccurate information,
(21) lack of understanding of the facts or just pure malice,
(22) those allegations are false.
(23) The fact is, NPF was not a funnel to the RNC. Instead,
(24) it was a siphon. As Senator Bennett has said, NPF still
(25) owes the RNC nearly \$2.5 million it borrowed and has not

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(1) been able to pay back.
(2) You should understand NPF cannot and never could
(3) contribute or lend money to the RNC, as one of you said it
(4) did on television. It could not do either of those things.
(5) The RNC could not profit from its dealings with NPF, and it
(6) never did.
(7) NPF was always, from its inception, until today, a
(8) debtor to the RNC. There wasn't a time since NPF came into
(9) being it didn't owe the RNC money, and again, the RNC never
(10) was and never could be the recipient of NPF donations or a
(11) debtor to NPF, only a creditor. It could never profit-the
(12) RNC could never profit with any-from any transaction with
(13) the NPF, except to receive interest on what it had loaned.
(14) All NPF could do and did do was repay loans or, more
(15) accurately, some of the loans made to it by the RNC. As I
(16) said earlier, NPF failed to repay nearly \$2.5 million the
(17) RNC loaned it over the four years.
(18) When you understand the facts, you see how baseless,
(19) how goofy the idea is that NPF was a funnel. To lend money
(20) to the National Policy Forum, the RNC first had to raise the
(21) money. All RNC fund-raising, for whatever purpose, Federal
(22) or non-Federal, was in accord with the FEC rules; that is,
(23) legal U.S. contributions that are reported on a monthly
(24) basis by the RNC to the Federal Election Commission. Only
(25) after the RNC had raised and reported these contributions

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(1) could it then lend money to NPF or anybody else.
(2) When the RNC loaned money to NPF, the loans were
(3) contemporaneously reported to the Federal Election
(4) Commission in the RNC's monthly FEC reports, and the RNC had
(5) to lend money to NPF before NPF could repay anything to the
(6) RNC, and NPF could never pay back more than it borrowed.
(7) The RNC couldn't make a profit. I mean, unless you count
(8) interest.
(9) You know, Senators, I was born at night, but it wasn't
(10) last night, and there is absolutely no way anybody, I or
(11) anybody else in their right mind would set up such a system
(12) to launder or funnel in money. It is stupid. You have to
(13) raise all the money legally, first. Then you have to lend
(14) it to somebody else, who may or may not pay you back, and
(15) the very best you can do is get your money back; that is,
(16) the amount of the legal contributions you had to start with.
(17) Those are the facts.
(18) Now, if you describe that as a funnel, you have to
(19) mean, in fact, it was funneling money away from the RNC to
(20) the National Policy Forum, and the fact is the National
(21) Policy Forum-the fact is, if the National Policy Forum
(22) hadn't existed, the RNC would have had an additional \$2.5
(23) million to spend.
(24) Now, I assume the origin of the funnel charge is news
(25) media coverage of the loan NPF received from Signet Bank.

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(1) which was guaranteed by Young Brothers Development (USA).
(2) This loan and loan guarantee to the National Policy Forum
(3) were legal and proper. Attorneys for different parties, as
(4) you have heard, including Benton Becker, who has been a
(5) witness here today, attorneys for the different parties
(6) reviewed the transactions thoroughly, certified its
(7) legality; and I don't think there is any issue of that.
(8) NPF used part of the loan proceeds to pay the RNC back
(9) part of what the RNC had previously loaned NPF. There is no
(10) question this was a legitimate debt. The debt to the RNC
(11) had been reported to the Federal Election Commission by the
(12) RNC as the loans had been made over the preceding year and a
(13) half. The RNC had a right to get back part of its money.
(14) It was perfectly legal for it to do so.
(15) Furthermore, it was NPF, not the RNC, that needed this
(16) repayment to take place. Let me reiterate that. NPF needed
(17) this repayment to take place, not the RNC. The NPF board,
(18) as you have seen from the board minutes which the National
(19) Policy Forum provided the Committee, had limited the Forum's
(20) authority to borrow money in June of 1994 and expressed
(21) concern about the NPF's mounting debt. Restructuring to
(22) assure future availability of credit was an NPF goal from
(23) the spring of 1994 until it was accomplished.
(24) And as you will see in a moment, the RNC did not need
(25) the NPF to repay, though I want to hasten to add and

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(1) emphasize the RNC certainly wanted its money back.
(2) Two weeks ago in these hearings, it was said repayment,
(3) this repayment, allowed the RNC to finance the Contract with
(4) America campaign in 1994. A news magazine said the
(5) repayment allowed the RNC to pay for its late advertising
(6) blitz to win control of Congress. Those statements are both
(7) wrong. It was said yesterday that foreign money went to
(8) congressional candidates. That statement is also wrong.
(9) In the spring of 1994, as NPF got deeper in debt, Dan
(10) Denning, the Forum's chief operating officer, knowing the
(11) organization needed to restructure its debt, asked a friend
(12) of his, Fred Volcansek, to try to find someone to help.
(13) After a period of time and after discussing and
(14) reviewing several options, as I understand it, Dan, along
(15) with Fred and Don Fierce, my counselor at the RNC, suggested
(16) to me the best option that they had come up with would be
(17) Young Brothers Development (USA).
(18) First, Fred believed they, Young Brothers, were willing
(19) to consider lending the Forum \$3.5 million. Second, we
(20) thought YBD (USA) might forgive all or part of the loan
(21) later.
(22) And finally, and this was a big plus, I was told Young
(23) Brothers Development (USA) was and had been a donor to the
(24) Republican National Committee for years. It was a Florida
(25) corporation, even though the Young Brothers lived in Hong

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(1) Kong, and its officers were a former RNC chairman and a
(2) former counsel to President Ford.
(3) While NPF could legally accept contributions from
(4) foreign sources, to me, the better politics was for the loan
(5) to come from somebody who could give to a political
(6) committee covered by the Federal Election Campaign Act, and
(7) at that time, I believed, as I think everybody else did,
(8) including the Young Brothers people, including their
(9) attorney, at that time, I believe YBD (USA) could legally
(10) contribute to U.S. political parties on a non-Federal basis
(11) and had been doing so. So I told Dan and Fred to go ahead.
(12) Eventually, some months later, in October 1994, Signet
(13) Bank made a \$2.1-million loan to NPF, which was guaranteed
(14) by the Florida corporation. At that time, I still thought
(15) Young Brothers (USA) could legally give to the RNC.
(16) Although it was irrelevant from a legal perspective, I
(17) considered it a political plus. I considered it
(18) "lagniappe," as our neighbors in Louisiana say, a little
(19) something extra.
(20) Though it was legal, I hadn't intended for this to be a
(21) foreign loan guarantee. My intention and my understanding
(22) when I signed off on the Young Brothers Development (USA)
(23) loan guarantee or project, months before, had been just the
(24) opposite, but for political, not for legal reasons.
(25) Although the source of funds makes no difference to the

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(1) legality of these transactions, to the best of my
(2) recollection, I only found out this year that YBD (USA) had
(3) used funds borrowed from Hong Kong to collateralize the
(4) Signet Bank loan. Again, that made no difference to the
(5) legality of any of the transaction, but as best I recall, I
(6) learned about it this year.
(7) Finally, as to the Signet Bank loan and the NPF partial
(8) repayment, two hugely important facts are overlooked by
(9) those who want to say foreign money was infused in the 1994
(10) elections in which Republicans won control of Congress.
(11) Three things, really, because the first one is that
(12) statement is not true. There are two more facts that
(13) document why it is not true.
(14) First, every cent loaned to the National Policy Forum
(15) by the Republican National Committee and every cent repaid
(16) back to the Republican National Committee by the National
(17) Policy Forum was in non-Federal money; that is, funds that
(18) cannot be used in Federal elections. All these transactions
(19) involved funds not eligible for use in and funds not used in
(20) Federal elections.
(21) The RNC gave over \$5 million to Republican House
(22) candidates in 1994. None of it, not a red cent, came from
(23) the money the RNC got back from the National Policy Forum.
(24) Not a pen could have, as none of the money used in
(25) congressional campaigns could legally come from the account

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(1) to which this repayment was made.
(2) Senator Glenn was misinformed when he said this money
(3) went to congressional candidates. These non-Federal monies,
(4) funds, could not be and were not spent for Federal election
(5) purposes.
(6) The same is true for the RNC's contract-for the RNC's
(7) TV Guide ad and event in support of Contract with America
(8) and for the RNC's 1994 end-of-campaign television ad blitz.
(9) All of these activities were paid for exclusively with
(10) funds from the RNC's Federal account. None of this money
(11) came from the RNSEC, "RNSEC" as somebody said today, which
(12) is the RNC's non-Federal account. That non-Federal account
(13) is the one to which NPF made its partial repayment on
(14) October 20, 1994, but no money out of that account was used
(15) for any of those things.
(16) Additionally, and just as conclusively, the RNC did not
(17) need any money from the NPF to do what it did in the 1994
(18) campaigns.
(19) Senator Glenn said in his opening statement two weeks
(20) ago, the Republican party was desperate and cash-strapped at
(21) this time. Senator Torricelli repeated that today. It was
(22) neither. If NPF had repaid nothing, not a dime, the RNC had
(23) resources available to pay for everything it did, every
(24) activity of every kind, with an additional \$3 million more
(25) to spare.

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(1) Let me repeat that. The RNC had the funds available to
(2) pay for all that was done in the 1994 campaigns, with \$3
(3) million or more to spare, even if it had not gotten back any
(4) of the money it loaned the National Policy Forum.
(5) I want to call your attention to a chart that maybe
(6) they can show on the screen. The green bars represent the
(7) amount of non-Federal funds available to the RNC beginning
(8) October 20th. The graphs shows the non-Federal funds
(9) available to the RNSEC, "RNSEC," the Republican National
(10) State Election Committee, which as I said earlier is the
(11) name the RNC calls our non-Federal component.
(12) If you look at that chart, you will see, on October 20,
(13) 1994, the day NPF made the partial repayment of \$1.6
(14) million, an additional \$3.4 million was available, and the
(15) figure of the funds available increased, went up every day
(16) after October 20th, as you can see, right to the Election
(17) Day. The RNC wasn't desperate or cash-strapped. It had
(18) resources to spare without any NPF repayment.
(19) NPF needed to pay back the loan. The RNC never needed
(20) any of the loan repayments to do what it did in the 1994
(21) elections. For this reason, Senators, it is correct to say
(22) the RNC did not use the NPF loan repayments to play its role
(23) in helping Republicans win a majority in Congress that fall,
(24) and anyone who claims otherwise is ignoring the facts.
(25) I hope I haven't taken too much time, but I want you to

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(1) have accurate information. Senator Glenn's example of
(2) getting the facts out in detail, as cited in the Cleveland
(3) Plain-Dealer is the right example.
(4) In closing, everything the National Policy Forum did
(5) was legal and proper. Everything about the relationship of
(6) the National Policy Forum with the Republican National
(7) Committee and the Republican National Committee with the
(8) National Policy Forum was legal and proper.
(9) This is and should be a bipartisan investigation.
(10) However, it is not a bipartisan scandal. I can't tell you
(11) what the Democrats did or didn't do, but I can tell you the
(12) Republicans did not purposely, knowingly, or intentionally
(13) violate any law. The RNC has a rigorous campaign finance
(14) compliance program, and it was strictly adhered to. The
(15) program is to prevent illegal activities as well as illegal
(16) contributions, and the RNC stuck to it.
(17) The RNC had more than 7 million contributions while I
(18) was chairman. Those contributions totaled \$330 million.
(19) The average contribution was just \$45.
(20) Now, out of 7 million contributions, did the RNC ever
(21) miss something. Well, of course. I mean, everybody is
(22) human, but let me emphasize, Senator, the RNC never let its
(23) guard down. The RNC never turned a blind eye to any
(24) activity that wasn't allowed. Our defenses stayed in place,
(25) as they should have. People who say everybody does it are

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(1) wrong. It is not true. Everybody doesn't do it.
(2) Thank you, Senator, and I will be glad to answer any
(3) questions.
(4) [The prepared statement of Mr. Barbour follows:]

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(1) Chairman Thompson. Thank you, Mr. Barbour.
(2) Senator Glenn?
(3) Senator Glenn. Mr. Baron?
(4) Mr. Baron. Thank you, Mr. Chairman. Thank you,
(5) Senator Glenn.
(6) Good afternoon, Mr. Barbour.
(7) Mr. Barbour. Good afternoon, Mr. Baron.
(8) Mr. Baron. Mr. Barbour, on March the 16th of this
(9) year, you appeared on "Meet the Press." Do you recall that?
(10) Mr. Barbour. I recall appearing on "Meet the Press"
(11) this year. I can't tell you exactly what the date was.
(12) Mr. Baron. And during an interview with Mr. Russert,
(13) you were asked whether the NPF had received any overseas
(14) money. Do you recall that?
(15) Mr. Barbour. I recall he asked me if there were any
(16) foreign contributions to the National Policy Forum. I don't
(17) recall the verbatim of the text.
(18) Mr. Baron. Okay. Well, I think we have it on film. I
(19) would like the film run, if we could.
(20) [Videotape played.]
(21) Mr. Russert: "And yet, you will not disclose who gave
(22) how much money. Why don't you tell the American people who
(23) gave hundreds of thousands of dollars to this National
(24) Policy Forum, and did any of that money come from overseas?"
(25) Mr. Barbour: "Well, none of the money came from

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(1) overseas."
(2) Mr. Russert: "Period."
(3) Mr. Barbour: "Period."
(4) [Tape concluded.]
(5) Mr. Baron. And am I correct, sir, that was you, right?
(6) Mr. Barbour. Well, I was the one who wasn't Tim
(7) Russert.
(8) Mr. Baron. Okay. We can agree on that.
(9) And am I correct, sir, in July of this year on the 13th
(10) of July--and again, you may not recall the specific
(11) date--Mr. Russert stated on his show that--and I'm going to
(12) quote from a transcript--"Haley Barbour called me on Friday
(13) and apologized, said that he had misled me, that, in fact,
(14) money had come from overseas from the Pacific Cultural
(15) Foundation." In fact, had you called Mr. Russert?
(16) Mr. Barbour. I called. As you know, the Committee
(17) subpoenaed the records of the National Policy Forum. The
(18) National Policy Forum had ceased operations in December, and
(19) those records had been stored. They were retrieved from
(20) storage, a custodian hired so that they could be properly
(21) processed, and in the process, I learned that, in fact, in
(22) August of 1996, while I was in California for the Republican
(23) National Convention, a contribution had been received from
(24) the Pacific Cultural Foundation. It's the contribution I
(25) mentioned in my testimony to the Committee.

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(1) After that, I called Tim Russert and said, "Tim, I told
(2) you on TV that there weren't any. There was one," and I
(3) told him just what I told the Committee. There was one
(4) contribution from a foreign entity, the Pacific Cultural
(5) Foundation, for \$25,000, and when I told him that in March,
(6) I had not known that, but I found out when they were going
(7) through the records.
(8) Mr. Baron. Well, when Mr. Russert uses the word--and
(9) it was his word, admittedly--he said you had misled him.
(10) It's your testimony that you didn't do that intentionally.
(11) It's just that you didn't know about the Pacific Cultural
(12) Foundation contribution at the time you were on his show in
(13) March. Is that it?
(14) Mr. Barbour. I can assure you that "misled" him was
(15) not my word.
(16) Mr. Baron. Well, I recognize that. That is why I made
(17) a point of it.
(18) Mr. Barbour. I called him and told him I had made a
(19) mistake, but that I valued my reputation and that I wanted
(20) to tell him myself the mistake that I had made; that I was
(21) in error.
(22) Mr. Baron. Well, let's talk about the Pacific Cultural
(23) Foundation for a minute. Are you aware that Mr. Jack
(24) Copeland is a Washington energy consultant?
(25) Mr. Barbour. I am very aware of it.

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(1) Mr. Baron. And he raised money for the National Policy
(2) Forum, did he not?
(3) Mr. Barbour. He tried to help raise more for the
(4) House, Senate, and for political campaigns.
(5) Mr. Baron. Would you take a look at Exhibit 396?
(6) There should be a book there.
(7) Mr. O'Donnell. What volume?
(8) Mr. Baron. Well, just look for 396. I believe it will
(9) be in the second volume.
(10) I am told there should be a small volume with just the
(11) exhibits that may relate to this. Do you have that?
(12) Mr. Barbour. Is it supposed to be a deposit slip?
(13) Mr. Baron. That is correct, and behind it, a check
(14) payable to the National Policy Forum in the amount of
(15) \$25,000.
(16) Mr. Barbour. That is what is in here.
(17) Mr. Baron. Okay. And do you recognize that as the
(18) check from the Pacific Cultural Foundation?
(19) Mr. Barbour. I don't recognize it. I didn't see it at
(20) the time, but I don't take issue that that is apparently
(21) what it is.
(22) Mr. Baron. Look at Exhibit 383, if you would. Do you
(23) have that in front of you?
(24) Mr. Barbour. I do.
(25) Mr. Baron. Do you recognize that as a thank you letter

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(1) that you wrote to the Honorable Jason C. Hu, representative
(2) of the Taipei Economic and Cultural Representative Office in
(3) Washington, on August 22, 1996, relative to that check?
(4) Mr. Barbour. I recognize it as a letter that was
(5) *probably typed by the National Policy Forum staff and sent*
(6) *over to the RNC for me to sign. It's not a letter that I*
(7) *wrote, if you mean did I write the letter, but I did--it*
(8) *appears that I signed the letter. I don't think that's an*
(9) *autopen. A lot of my correspondence was signed by autopen,*
(10) *but I don't believe that is an autopen. I believe this was*
(11) *probably in a stack of letters I signed.*
(12) Mr. Baron. Okay. And you know, do you not, that
(13) Ambassador Hu--and indeed, I think you address him as
(14) Ambassador--is the U.S. representative of the Taiwanese
(15) government? Am I correct?
(16) Mr. Barbour. I do know that. Yes, sir.
(17) Mr. Baron. And the Taipei Economic and Cultural
(18) Representative Office now functions as the de facto embassy
(19) for the government of Taiwan; is that correct?
(20) Mr. Barbour. That is my understanding of the
(21) relationship, yes, sir.
(22) Mr. Baron. Can you tell us, do you know if the
(23) contribution from the Pacific Cultural Foundation to the
(24) National Policy Forum has been returned?
(25) Mr. Barbour. No, sir. It is a perfectly legal

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(1) contribution accepted by the National Policy Forum, which I
(2) believe very plainly, it's agreed, can accept contributions
(3) from non-U.S. source.
(4) Mr. Baron. Do you know an individual by the name of
(5) Joe Gaylord?
(6) Mr. Barbour. Yes, sir. I know Joe Gaylord.
(7) Mr. Baron. And was he a consultant to the National
(8) Policy Forum?
(9) Mr. Barbour. Joe Gaylord was a consultant to the
(10) National Policy Forum to help raise money for a period of
(11) time. I can't tell you exactly when.
(12) Mr. Baron. I think at one point, you testified in your
(13) deposition, 15 months at about \$7,500 a month. Does that
(14) sound right?
(15) Mr. Barbour. I don't believe I testified to that, but
(16) it sounds about right.
(17) Mr. Baron. And are you aware that Mr. Gaylord
(18) solicited a \$50,000 contribution for the National Policy
(19) Forum from an entity known as Panda Enterprises?
(20) Mr. Barbour. I am--I don't think you've quite got the
(21) facts right, but I am told and have seen record, since the
(22) records were retrieved, that an organization--is it Panda
(23) Enterprises or Panda Industries?
(24) Mr. Baron. Well--
(25) Mr. Barbour. I mean, I don't have the record in front

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(1) *of me. I was unaware of the contribution when it came in,*
(2) *as was very often the case, but I'm not sure you're citing*
(3) *the name exactly right.*
(4) Mr. Baron. You may correct me.
(5) Mr. Barbour. It is Panda--something.
(6) Mr. Baron. I believe it is Panda Industries. I stand
(7) corrected.
(8) Is Mr. Gaylord connected in any way with Speaker
(9) Gingrich? Is he a consultant to him, to your knowledge?
(10) Mr. Barbour. I can't tell you of my own personal
(11) knowledge what their professional relationship is, but I
(12) know he's one of Newt's closest advisers. Whether he is a
(13) consultant is something I am not personally knowledgeable
(14) of.
(15) Mr. Baron. Now, I take it that you are now aware that
(16) there are media reports, magazines and the press which
(17) suggest that Mr. Ted Sieong, who was the father of the woman
(18) who apparently owns this company that made the contribution,
(19) is somehow linked to foreign funding from China, and I want
(20) to make it clear that my question to you is not premised on
(21) inside or intelligence briefings. I am just going on the
(22) basis of what is in the press.
(23) Are you aware of that?
(24) Mr. Barbour. In fact, that's how I became aware that
(25) Panda Industries, or whatever the right name of it is, had

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(1) made a contribution to the National Policy Forum. A
(2) reporter from a news magazine called my office to ask if I
(3) knew Mr. Sieong. I don't know how you say it, but the man
(4) you were talking about. And my response to him was I had
(5) never heard of him.
(6) Subsequently, based on that call, when we were going
(7) through the NPF records, we discovered that, in fact, Panda
(8) Industries, or whatever, had made a contribution, and as you
(9) know, Mr. Baron, since then, we have contacted actually a
(10) California firm that actually raised the money, and the
(11) industry, and asked them if, in fact, this was foreign
(12) source money. We've made plain to them that the National
(13) Policy Forum could accept foreign source money, but that we
(14) had been asked and we felt an obligation to find out and we
(15) also at that time, because of these news reports, provided
(16) that information to the proper Federal authorities.
(17) Mr. Baron. Have you determined whether it is foreign
(18) money?
(19) Mr. Barbour. Well, the Democratic National Committee
(20) got \$250,000 from them, and they have apparently determined
(21) to their satisfaction that these are U.S. funds, which has
(22) been published in the newspapers.
(23) I will have to say to you, we have not had Panda write
(24) us back and say, flatly, these are U.S. funds. Of course,
(25) the difference between us and the Democratic National

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(1) Committee, us meaning the National Policy Forum, the
(2) National Policy Forum can accept non-U.S. funds, but I take
(3) it at good face value that it must be okay or the Democratic
(4) National Committee, which has investigated it, would have
(5) sent the money back.
(6) Mr. Baron. Did the National Policy Forum, to your
(7) knowledge, have any system in place for determining whether
(8) a particular contribution was legal or illegal or
(9) appropriate or inappropriate? Was there any process for
(10) vetting checks, so to speak?
(11) Mr. Barbour. As you know, Mr. Baron, the Republican
(12) National Committee has a very intensive rigorous program for
(13) compliance, but the Republican National Committee has to
(14) operate under very, very different rules from the National
(15) Policy Forum.
(16) Because the National Policy Forum doesn't--is allowed
(17) to take non-U.S. source money, is allowed to take corporate,
(18) I am unaware of, and I don't think the management ever
(19) thought it necessary, to have the kind of program that the
(20) RNC has for the obvious reasons.
(21) Mr. Baron. Did it have any kind of program? The NPF.
(22) I am talking about.
(23) Mr. Barbour. Mostly what the NPF did is they
(24) prospected lists of companies they thought were good
(25) prospects. One of the principal lists, Senator Lieberman

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(1) was--companies that had publicly been known to give to the
(2) Democratic Leadership Council. That was our first list of
(3) people we thought might be interested in some of this, but
(4) because of the breadth of the contributions that could be
(5) accepted, I at least never thought about the need for such a
(6) program, and I don't know if Mike or Dan or John Bolton ever
(7) thought of such a--such a need.
(8) Mr. Baron. Okay. I would like to turn to the Young
(9) Brothers Development loan guarantee. Do you recall at your
(10) deposition--and this is pages 129 at lines 11 to 15--you
(11) were asked, "When did you become aware of
(12) the fact that the funds which were put up to collateralize
(13) the National Policy Forum loan came from Young Brothers Hong
(14) Kong to Young Brothers USA?"
(15) You replied, "This year," meaning 1997.
(16) You then testified, "There was a--the first time I ever
(17) received any information that I considered credible, any
(18) information other than this letter"--and I will get back to
(19) that in a minute, and we know which letter we are talking
(20) about--"was in the review of the loan documents."
(21) Do you recall that as being your testimony?
(22) Mr. Barbour. Well, let me say, first of all, I don't
(23) think I have a copy of my deposition. You were citing it to
(24) page. Do I have a copy of my deposition?
(25) Mr. Baron. It should be on the table.

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(1) Mr. O'Donnell. What page was that, Mr. Baron?
(2) Mr. Baron. Page 129, lines 11 to 15, and the second
(3) quote was from page 131, lines 16 to 19. Please take your
(4) time.
(5) Mr. Barbour. Yeah. I'm having a hard time finding it
(6) because the type-the type ain't so big for these eyes, but
(7) I did tell you that the first time I had what I thought was
(8) credible information about that was this year.
(9) Mr. Baron. Okay. And-
(10) Mr. Barbour. That's correct.
(11) Mr. Baron. Now, Mr. Barbour, this morning and
(12) previously in his deposition, Mr. Volcansek has testified
(13) that prior to October 13, 1994, which was the date of the
(14) loan and the guarantee, he advised you that the loan
(15) guarantee money from Young Brothers Development originated
(16) in Hong Kong. Are you telling me that you do not remember
(17) that or that it was not credible and you did not believe it
(18) when you heard it?
(19) Mr. Barbour. I saw Fred this morning on television,
(20) and I heard him say that. I also heard somebody here read
(21) from the deposition of Dan Denning, who was the chief
(22) operating officer of the National Policy Forum, and as I
(23) think Fred testified and I said in my statement, that Dan
(24) said in his deposition, he didn't remember Fred ever saying
(25) that.

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(1) I'm not-you know, Fred may be right and I may not have
(2) heard it because it was not relevant. That issue is a
(3) totally irrelevant issue. It was then and is now, but I do
(4) not recall his saying that in that meeting or any other
(5) meeting, just as Mr. Denning, apparently in his deposition,
(6) according to somebody here, says he doesn't recall him
(7) saying that to him and me and Don Fierce. So I do not
(8) recall his saying that.
(9) Mr. Baron. Okay. So you do not recall him saying it,
(10) Mr. Volcansek saying it?
(11) Mr. Barbour. Yeah, and I am certainly not taking issue
(12) with it. I am just saying I don't recall him saying it. He
(13) said today maybe it just-nobody caught onto it or latched
(14) onto it or whatever he said because it was irrelevant. I
(15) can't say that isn't the case, but I don't remember him
(16) saying it.
(17) Mr. Baron. Okay. I would like to direct you to Mr.
(18) Ambrous Young's deposition. You should have a copy of it
(19) there, and I am particularly focussing on page 35. The
(20) specific line is line 13, where there is a question. Do you
(21) have that, sir?
(22) Mr. Barbour. Yes, sir, I do. I do.
(23) Mr. Baron. Okay. The question at line 13-and they
(24) are talking about a dinner that was held in Washington in
(25) 1994. The question put to Mr. Young, "Can you describe in

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(1) general what you recall was the discussion at the dinner?"
(2) and his answer, "The discussion basically was Mr. Haley
(3) Barbour requested me to consider for the loan of \$3.5
(4) million and assured me of the safe return of the loan, but
(5) as a result of that, I could not commit, nor have the power
(6) to commit, but requested him to give us more information so
(7) that we can present it to YBD (Hong Kong) board of directors
(8) for further consideration."
(9) Now, sir, do you see that testimony?
(10) Mr. Barbour. I do.
(11) Mr. Baron. And I read it accurately, I believe?
(12) Mr. Barbour. Yes, sir.
(13) Mr. Baron. Okay. My question to you is, do you recall
(14) Mr. Young discussing the fact at the dinner in August of
(15) 1994, prior to the loan being made, that he could not make
(16) any commitment, he would have to go back to the board of YBD
(17) (Hong Kong)?
(18) Mr. Barbour. I remember Mr. Young saying that he
(19) having a favorable, but noncommittal response, not that he
(20) would have to go back to his board.
(21) As you know, Mr. Baron, because you showed me his
(22) deposition when you took my deposition. Mr. Young said
(23) himself in his deposition that he knew when he was talking
(24) to me that I did not understand what he was saying. In
(25) fact, he said that specifically in his deposition about

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(1) another question that you asked me.
(2) Now, I will confess, it could have just as easily been
(3) my accent as his, but he himself says that-and all I can
(4) tell you is if he ever mentioned anything about a Hong Kong
(5) board or about Hong Kong authorities, either I didn't
(6) understand what he was talking about or I just didn't hear
(7) him.
(8) Mr. Baron. Okay. Mr. Young has also testified that in
(9) the summer of 1995, when you visited him on the company
(10) yacht in Hong Kong-and I am going to direct you now to page
(11) 57. Do you see that, sir? Line 15.
(12) Mr. Barbour. Okay. I found line 15.
(13) Mr. Baron. Yes. There is a question.
(14) Mr. Barbour. The type is small.
(15) Mr. Baron. I agree with you.
(16) The question there is, "What was your response," that
(17) is, Mr. Ambrous Young's response, "to Mr. Barbour's
(18) proposition that the loan be forgiven, as we have
(19) discussed?"
(20) His answer, "I said no in the manner of an apology. I
(21) explained to him that we have difficulties to do that
(22) because the YBD (USA) money, which was guaranteed under the
(23) form of certificate, deposit certificate for the Forum loan,
(24) was as loan from YBD (Hong Kong), and YBD (Hong Kong), we
(25) are facing government audit every year. Without

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(1) justification, the directors of the board, who approve such
(2) loan could face government punishment. So, therefore, I
(3) explained this cannot be done."
(4) Now, I have read that accurately, have I not?
(5) Mr. Barbour. Yes. This is exactly the part of the
(6) deposition that you read to me when Mr. Young said on the
(7) next page, "I think he misunderstood me," talking about me.
(8) Mr. Young says, I, Mr. Young, think Mr. Barbour
(9) misunderstood me. Mr. Barbour say, "Are you meaning you
(10) will give me the money to pay back your loan?" In other
(11) words, he said: "Do you" - he asked me the question: "Are
(12) you meaning that you will give me the full amount of money
(13) equal to what they owe YBD USA so that the loan can be
(14) retired?" That's the conversation, Mr. Baron, in which
(15) Mr. Young told you that he knew in that conversation that I
(16) was misunderstanding what he said.
(17) Mr. Baron. So-
(18) Mr. Barbour. And if he said what you just read, I
(19) misunderstood him. Mr. Young was right about that.
(20) Mr. Baron. So you misunderstood what he said on the
(21) boat in the summer of 1995, if he did say at that time that
(22) he could not do it because it was Hong Kong money that would
(23) be audited by Hong Kong authorities?
(24) Mr. Barbour. If he said anything about that, I either
(25) did not hear him or did not understand what he was saying.

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(1) and he is right that he said in his deposition that he knew
(2) I was not understanding something because I did think what
(3) he said I thought, and that is that he was saying that what
(4) would make a contribution to pay off the loan. That's what
(5) I was thinking he was trying to tell me.
(6) Mr. Baron. Okay. Could we look at Exhibit 349?
(7) Mr. Barbour. Bear with us, if you would.
(8) Mr. Baron. Of course.
(9) Mr. Barbour. 349?
(10) Mr. Baron. I believe so.
(11) Mr. Barbour. Okay. Yes, sir.
(12) Mr. Baron. It is the September 17, 1996, letter from
(13) Mr. Richard Richards to you. Do you recall that?
(14) Mr. Barbour. Yes, sir.
(15) Mr. Baron. And at the bottom of page 1, there is a
(16) statement where Mr. Richards is recalling the history of the
(17) transaction, and at the bottom of page 1, and I am quoting,
(18) "Funds were transferred from Hong Kong to Young Brothers
(19) USA, a Florida corporation of which I am the President." Is
(20) that an accurate quote?
(21) Mr. Barbour. Yes, sir.
(22) Mr. Baron. Okay. And did you receive that letter?
(23) Mr. Barbour. Yes, sir. I did.
(24) Mr. Baron. And is it your testimony that you did not
(25) regard that as a credible basis for concluding that the

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(1) money might be from Hong Kong?
(2) Mr. Barbour. As I've told you previously, it was
(3) irrelevant, then and now, it was irrelevant before the loan
(4) transaction or when Dick wrote me this letter, whether the
(5) money had come from Hong Kong. But I took this letter which
(6) I received from Dick to be for Hong Kong consumption. I
(7) took it as a threat to sue. And the facts in this letter
(8) that I personally had knowledge of were wrong. The two or
(9) three things I knew personally about were not accurate. So
(10) I didn't give any of it credibility except that I thought
(11) Dick was trying to write me a letter that said if you don't
(12) bail us out, then, you know, we're going to sue you and it's
(13) going to be really embarrassing, and here's all the bad
(14) stuff I can say.
(15) Now, that's what I took the letter to be, a negotiating
(16) tool to try to put pressure on me. That's why I didn't
(17) respond. And it's also why I didn't give it credibility.
(18) Mr. Baron. Okay. Mr. Barbour. I am going to switch
(19) topics now. I take it you're saying, then, it was not until
(20) this year that you had credible-a credible basis for
(21) concluding that the money had come from Hong Kong; is that
(22) correct?
(23) Mr. Barbour. It was not until this year that I became
(24) aware, had knowledge, that the money came from Hong Kong.
(25) It doesn't make any difference to the legality of the

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(1) transaction, wouldn't have made any difference to the
(2) legality at the time. But I have to say to you that's just
(3) the fact.
(4) Mr. Baron. Okay. I'd like to talk about the issue of
(5) the forgiveness, alleged forgiveness of the loan. In your
(6) deposition, you testified that during the negotiations for
(7) the National Policy Forum loan and before the loan and
(8) guarantee were arranged, that Mr. Volcansek told you that
(9) Steve Young said that they were very favorably disposed
(10) toward forgiving all or part of the loan. Was that your
(11) understanding?
(12) Mr. Barbour. Actually, I believe I told you that my
(13) recollection is that Steve Young told me that himself.
(14) Mr. Baron. I'm sorry--
(15) Mr. Barbour. I believe that's what I told you. That's
(16) what my recollection is. If I didn't tell you that, I
(17) didn't--I may have misspoke.
(18) My recollection is that Steve Young, who is one of the
(19) Young brothers, who is one of Ambrous Young's four adult
(20) sons, came to Washington to a meeting, and that he was who
(21) responded to me about Young Brothers Development (USA)'s
(22) response to my request that they guarantee a loan for the
(23) National Policy Forum. He told me that they were going to
(24) do it, and he told me that if everything went well, that
(25) they would consider in December doing more, which I took to

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(1) be forgiving part of the loan.
(2) Mr. Baron. Well, let me direct your--
(3) Mr. Barbour. And I wrote him a letter that you have in
(4) your file that notes that.
(5) Mr. Baron. Let me direct your attention to page 96 and
(6) 97 of your deposition.
(7) Mr. Barbour. I apologize, Mr. Baron, if we get messed
(8) up on the paper. As you know, we don't get copies of our
(9) own depositions, so I am having to fish through whichever
(10) one is which.
(11) Page 97?
(12) Mr. Baron. 96 and 97.
(13) Mr. Barbour. Okay, sir.
(14) Mr. Baron. Now, just so I understand your testimony,
(15) you state--there is a question: "So that, even"--I'm
(16) starting at line 4 on page 96.
(17) Mr. Barbour. Yes, sir.
(18) Mr. Baron. It says, my question is: "So that, even
(19) before the loan was being made, there was a suggestion that
(20) it would be forgiven afterward?" That is a question. "I
(21) just want to understand. I'm not trying to put words in
(22) your mouth. Is that what you're saying?"
(23) Your answer: "There was discussion that day that Young
(24) Brothers Development would consider favorably paying off,
(25) because 'forgiving' is not exactly the right word, but

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(1) paying off all or part of the loan."
(2) Question: "Under the circumstances of what the
(3) financial arrangement was, I guess by forgiving, what we're
(4) really talking about is that NPF wouldn't pay the loan and
(5) that the collateral that had been posted through Young
(6) Brothers USA would be forfeited to pay off the loan. Isn't
(7) that--" And then you answered: "I mean, that--that's one
(8) way, or Young Brothers could simply pay off the loan."
(9) Then I say, "Okay, fair enough. With who did these
(10) pre-loan guarantee discussions take place?"
(11) Answer: "They took place, as far as I know, among
(12) several people."
(13) Question: "Who would they be?"
(14) And you answered: "Fred--" and it was Fred Volcansek.
(15) Is it your testimony that you also discussed the
(16) possibility--and you do refer to Steve Young as also
(17) discussing the possibility of forgiveness. Did you ever
(18) discuss that with Mr. Fred Volcansek?
(19) Mr. Barbour. As I said in my opening statement, when
(20) Fred, Dan Denning, and Don Fierce met with me about this in
(21) the summer of 1994--I can't tell you whether it was June or
(22) July--and recommended that this was the--to proceed with
(23) trying to get Young Brothers Development (USA) to help us on
(24) the loan, at that time we discussed and were optimistic
(25) about the idea, or thought at least there was a reasonable

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(1) chance that they might forgive it.
(2) Now, whether or not Fred had talked to somebody about
(3) that or not, I can't tell you. I don't recall whether that
(4) was discussed. But then subsequently, as I told you, after
(5) asking for the loan and proceeding for several more weeks,
(6) when Steve Young came to my office, he indicated to me that
(7) they were favorably disposed.
(8) Now, I want to be fair to Young Brothers Development.
(9) They never made a firm, absolute commitment. They never
(10) said we will definitely forgive part of the loan or all of
(11) the loan. But it was talked about with Steve that early and
(12) very often afterwards, and had been talked about since.
(13) My own recollection or thought is probably that first
(14) meeting that I had with Don and Fred and Dan, but I cannot
(15) say that as a cold fact. But that is my belief, that from
(16) the beginning we thought there was a real chance that they
(17) would pay off, forgive, however you want to put it, at least
(18) part of the loan.
(19) Mr. Baron. I am not sure if you have answered my
(20) question. Let me rephrase it.
(21) Mr. Barbour. Okay.
(22) Mr. Baron. I understand that it is your testimony that
(23) you had conversations with Steve Young prior to the loan
(24) actually even going through that indicated they might be
(25) disposed to forgive all or part of the loan. Is that

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(1) accurate?
(2) Mr. Barbour. Yes, sir.
(3) Mr. Baron. Okay. My question to you is: Did you have
(4) a similar conversation or a conversation to that effect with
(5) Mr. Fred Volcansek about the possibility of the Young
(6) Brothers forgiving or paying off all or part of the NPF loan
(7) prior to the time the loan was consummated?
(8) Mr. Barbour. It is my recollection that at that
(9) meeting where they recommended to me, Young Brothers
(10) Development--and as I say, this is probably June or July; I
(11) can't tell you exactly when. I say June or July because I
(12) think it was just shortly before I called Dick Richards,
(13) which, according to your records, was July 28th--that at the
(14) meeting not long before, the idea that they might be willing
(15) to forgive part of the loan was discussed and was one of the
(16) things I liked about it.
(17) Mr. Baron. Mr. Barbour, let me talk about your
(18) relationship between the NPF and the RNC. It is your
(19) testimony that the NPF and the RNC were two separate
(20) organizations, legally and operationally; they were not
(21) affiliates. I believe you testified to that effect at page
(22) 44 of your deposition. You can check it if you like.
(23) Mr. Barbour. That is correct. I'm not sure where it
(24) is in my deposition, but they are--
(25) Mr. Baron. It is on page 44.

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(1) Mr. Barbour. They are two separate organizations,
(2) functionally, organizationally, operationally.
(3) Mr. Baron. And are you aware, sir, that in his
(4) testimony yesterday, Mr. Baroody testified that managerially
(5) he thought that the separation between the NPF and the RNC
(6) was, in his words, a fiction? Indeed, he used that in his
(7) memorandum, that word, when he resigned as president of the
(8) National Policy Forum. Is that correct?
(9) Mr. Barbour. When I saw him testify on television
(10) yesterday, he said he was concerned that sometimes the
(11) managerial got blurred. I also believe he flatly testified
(12) and I haven't had the opportunity to read his deposition
(13) like you have. But his public testimony was that they were
(14) two separate organizations, which is correct.
(15) My-go ahead. I'm sorry.
(16) Mr. Baron. No, no. Go ahead, please.
(17) Mr. Barbour. I was just going to say Mike said
(18) yesterday-and it did not surprise me-that he wanted to be
(19) purer than Caesar's wife, where nobody on any issue could
(20) say that you deviated from the absolute purist. But when
(21) you have a creditor-debtor relationship like this, the
(22) creditor has some obligation to try to keep up with what's
(23) going on.
(24) Mr. Baron. Now, you are aware, are you not, that on
(25) February 21, 1997, this year, the IRS denied the application

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(1) of the National Policy Forum for 501(c)(4) status; is that
(2) correct?
(3) Mr. Barbour. I believe the proper term-and I don't
(4) want to hold myself out as an expert-is that they declined
(5) to recognize, but that they don't have the authority to say
(6) whether you are or are not a 501(c)(4). But they declined,
(7) after nearly 4 years, to recognize the (c)(4) status, and
(8) February something would be right. I can't tell you that's
(9) the exact date.
(10) Mr. Baron. Could we put up Slide 353A?
(11) Now, that says-I hope, because that is what I have in
(12) front of me-"We have considered your application for
(13) recognition of exemption from federal income tax
(14) under...section 501(c)(4). Based on the information
(15) submitted, we have concluded that you do not qualify for
(16) exemption under that section."
(17) Do you see that, sir?
(18) Mr. Barbour. Yes, sir.
(19) Mr. Baron. And could we have Slide 353B?
(20) Do you see, sir, where it continues to say, "Based on
(21) the information you submitted, it appears that you are a
(22) partisan issues-oriented organization. Specifically, your
(23) activities are designed to promote the Republican Party and
(24) politicians affiliated with the Republican Party." That was
(25) also in the letter from the IRS. Is that not so?

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(1) Mr. Barbour. Yes-
(2) Mr. O'Donnell. Mr. Baron, we would like to see the
(3) letter, please.
(4) Mr. Baron. It should be over there.
(5) Mr. Barbour. Could we get the letter? It may be over
(6) here, and we are just not knowing where it is.
(7) Mr. Baron. It is No. 353 for the entire text.
(8) Mr. Barbour. But, Mr. Baron, let me just say while
(9) he's got the letter, everything that you-that I've seen on
(10) this screen, as far as I know, is consistent with what was
(11) in the IRS' letter. I'm not taking issue with it. I would
(12) just like to have the whole letter.
(13) Mr. Baron. Well, it's there if you want to check
(14) anything.
(15) Could you take a look at Exhibit 327?
(16) Mr. Barbour. Are you through with the IRS letter?
(17) Mr. Baron. Yes.
(18) Mr. Barbour. Could I just make a point about the IRS
(19) letter?
(20) Mr. Baron. Please go ahead.
(21) Mr. Barbour. Let me just read you-I want to read you
(22) from it. And for those of you who have a copy of it, the
(23) conclusion of the IRS letter to the National Policy Forum
(24) is: "In summary, we conclude that you are not operated
(25) primarily to promote social welfare because you are a

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(1) partisan issues-oriented organization and your activities
(2) are partisan. In addition, we conclude that your activities
(3) also substantially benefitted the Republican Party and
(4) politicians affiliated with the Republican Party.
(5) Accordingly, you do not qualify for recognition of exemption
(6) under section 501(c)(4) of the Code..."
(7) Let me just say, Mr. Baron, every word in that
(8) conclusion is true about the Democratic Leadership Council,
(9) every single word, which has 501(c)(4) status. I want you
(10) to be aware of this history.
(11) The National Policy Forum applied for 501(c)(4) status
(12) in June of 1993. Nearly 4 years later-and there is a chart
(13) here, if you want to look at it. June 18, 1993, NPF applies
(14) for IRS recognition of 501(c)(4) status. July 21st, the IRS
(15) responded that they had gotten receipt of our application
(16) and it says, "If you do not receive a decision on your
(17) application by the date the annual information return for
(18) exempt organizations is due, file that return by the due
(19) date. File Form 990, return of organizations exempt from
(20) income tax. Check the block on the return indicating an
(21) application is pending.
(22) We filed. The National Policy Forum filed. IRS said
(23) operate as a 501(c)(4) until you hear from us.
(24) They wrote-they sent us a set of questions. August
(25) 13th. On August 13th they wrote and said it may be a while

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(1) before we can get back to you. On January the 4th, 6 months
(2) after the application, they sent a bunch of questions for
(3) NPF to answer, which NPF answered the next month.
(4) Nearly 2 years later, November 1995, the IRS sent a
(5) second set of questions which NPF answered about two and a
(6) half months later.
(7) NPF went out of business in December '96, and the IRS
(8) did not give an answer until February of 1997. I call that
(9) to your attention because it took nearly 4 years, and yet
(10) the response we got, every word of it, was-every word of
(11) that summary that I just read to you was true about the
(12) Democratic Leadership Council, which is a 501(c)(4).
(13) Let me tell you what my counterpart, Senator
(14) Christopher Dodd, the chairman of the Democratic National
(15) Committee, said. This is the National Journal, April 6,
(16) 1996. Christopher Dodd says, "The two organizations, DLC
(17) and DNC, are interdependent." Al From, the President of the
(18) Democratic Leadership Council said, "We are the Federal
(19) Express of the Democratic Party."
(20) So I will tell you, I was floored in February when they
(21) said that the National Policy Forum was too partisan, but
(22) the Democratic Leadership Council qualified. Yes, sir, I
(23) remember getting that letter very well.
(24) Mr. Baron. Could you take a look at Exhibit 327.
(25) please?

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(1) Do you see that, sir? Am I correct that that is a
(2) memorandum to you from Kevin Kellum of the RNC Team 100, and
(3) in there he is talking-he is writing to you concerning a \$1
(4) million pledge from the casino magnate, Stephen Wynn? And
(5) isn't Mr. Kellum recommending that there are two possible
(6) scenarios for breaking up this \$1 million contribution
(7) between putting two hundred-money in the RNC and in the
(8) NPF and that less is reported if it is put into the NPF?
(9) Mr. Barbour. It's-it looks to me like he is-and,
(10) again, I have no recollection of this, have not been shown
(11) this. But it looks to me like he's recommending three
(12) scenarios.
(13) Mr. Baron. And they all turn on whether he wants to
(14) spread out his contribution in different ways so that less
(15) is reported. These are options that are available to split
(16) it between the RNC and the National Policy Forum. Isn't
(17) that correct?
(18) Mr. Barbour. Well, I-you know, I'm seeing this for
(19) the first time, don't know if I've ever seen it before
(20) today.
(21) Mr. Baron. It is a memorandum to you, though.
(22) Mr. Barbour. And I don't-I understand that. You
(23) know, I have a-when I ran the Republican National Committee
(24) in 1996, I had about 275 employees, and as all of these
(25) Senators can understand, a lot of paperwork that has my name

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(1) on it gets handled by other people; otherwise, I would never
(2) be able to do anything but shuffle paper.
(3) But I do not believe that this organization gave \$1
(4) million to anybody. What he is suggesting is he said why
(5) don't we just read it? He said, "we would like your advice
(6) on the best way to distribute the contribution."
(7) "We would like to arrange a phone call between you and
(8) Mr. Wynn to discuss this contribution."
(9) "The following are three suggested scenarios for
(10) distributing the contribution."
(11) Those are all that it says.
(12) Mr. Baron. Could you take a look at Exhibit 332? Do
(13) you have that, sir?
(14) Am I correct that is a letter--
(15) Mr. Barbour. Yeah, did you ask if I'd seen this
(16) before? I certainly haven't seen it from the Committee.
(17) Mr. Baron. I am just asking you. It is a letter
(18) addressed to you from Mr. Phil Cavanaugh, a vice president
(19) and general manager at Chevron. And in the--I will read it.
(20) "Dear Haley: I certainly appreciated the opportunity to
(21) visit with you recently and discuss Chevron's contributions
(22) to the Republican Party and related organizations. Pursuant
(23) to that discussion, I have enclosed checks, \$25,000 for the
(24) National Policy Forum and \$15,000 for the remainder of the
(25) funds for the RNC that we agreed to. The latter covers what

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(1) we budgeted for a table at the convention gala. In addition
(2) to that, we have advised Jerry Parsky that we will shortly
(3) forward an additional contribution, \$150,000, to the San
(4) Diego Host Committee."
(5) "Haley, I again want to express Ken's and my
(6) appreciation for your willingness to recognize the totality
(7) of our efforts on behalf of the party by extending season-
(8) ticket status to Chevron. Sincerely, Phil."
(9) Do you recall receiving that document?
(10) Mr. Barbour. No, I don't recall receiving it, but I do
(11) recall that this company was very supportive of the
(12) convention in San Diego in their home State, very supportive
(13) of the party, and were supporters of the National Policy
(14) Forum.
(15) Mr. Baron. Isn't it true, sir--could we put up the
(16) poster board of money transfers, please?
(17) Mr. Barbour. Could I make just one point?
(18) Mr. Baron. Sure.
(19) Mr. Barbour. This letter was written to me, not by me.
(20) Mr. Baron. I understand that.
(21) Mr. Barbour. You know, the main thing--you made an
(22) inflection in your voice "to the Republican Party and
(23) related organizations." I guess you were not trying to say
(24) this shows that these were affiliated organizations.
(25) Mr. Baron. I don't think there is any question but

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(1) that I was reading a letter to you from Mr. Cavanaugh.
(2) No, I am talking about the money transfers.
(3) Am I correct, sir, that the RNC provided substantial
(4) funding for the operations of the National Policy Forum,
(5) indeed ultimately reaching an indebtedness of over \$4
(6) million? That is how much they put in, \$4 million?
(7) Mr. Barbour. You got it right the second time. There
(8) was not ever an indebtedness of \$4 million, but there was a
(9) total lending of about \$4 million.
(10) Mr. Baron. May I just ask one more question, if I may?
(11) Mr. Barbour. Over 4 years.
(12) Mr. Baron. Take a look at Exhibit 259. Do you have
(13) that, sir? Do you have that document?
(14) Mr. Barbour. Yes, I do.
(15) Mr. Baron. And am I correct that that is a memorandum
(16) dated June 10, 1993, circulated to members of the RNC's Team
(17) 100 donor council? And in the memo, is it not true that you
(18) say the RNC's creating the National Policy Forum as an issue
(19) development subsidiary? Is that correct?
(20) Mr. Barbour. You are reading the memo correctly. Now,
(21) if--and I remember this memo very well, Mr. Baron. It was
(22) written by the staff. In fact, it was written by a staff
(23) member who happened to be my nephew, after--and still is my
(24) nephew--
(25) [Laughter.]

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(1) Mr. Barbour. But he screwed this up.
(2) [Laughter.]
(3) Mr. Barbour. You will see--and in fairness--and I said
(4) this in my testimony. When I started and ran for chairman
(5) and said I thought there should be a policy institute, I was
(6) thinking it would be part of the RNC. As we went along, it
(7) became clear to me, before the National Policy Forum was
(8) founded, that that wasn't the right way to do it.
(9) So when you see--and there are several pieces of paper
(10) in the files that talk about subsidiary, arm, whatever,
(11) because that was the original thinking.
(12) But what particularly had to be straightened out about
(13) this immediately was that--and it cropped back up time and
(14) time again. You know, once you put something in the word
(15) processor, it never seems to die. But that Team 100
(16) members, there wasn't going to be a committee. It talks in
(17) here about a Team 100 committee to have as an advisory
(18) issues committee for the National Policy Forum. That never
(19) happened because it wasn't appropriate. They didn't realize
(20) it when they wrote it.
(21) As you can see, this memo is dated June 10, 1993, and I
(22) don't think that we had even announced the formation of the
(23) National Policy Forum at that point. It was very close in
(24) there.
(25) But I will just tell you this: Fewer than 2 percent of

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(1) National Policy Forum policy council members were Team 100
(2) members, and about 8 percent of Team 100 members were
(3) National Policy Forum policy council members. We had a very
(4) inclusive group, but it says in here everybody's going to be
(5) a National Policy Forum council member, and that just was
(6) not appropriate and had to be taken back. That's why I
(7) happen to remember it.
(8) Mr. Baron. Well, my time is up, but I have a hunch we
(9) will be chatting later.
(10) Chairman Thompson. Mr. Barbour, we are looking, of
(11) course, at activities that have been questioned concerning
(12) the RNC and some of your activities.
(13) Mr. Barbour. Yes, sir.
(14) Chairman Thompson. The National Policy Forum and
(15) others. This is the result of a unanimous decision that
(16) this Committee made a long time ago to have an investigation
(17) broad enough to do something really, I think, unprecedented.
(18) Certainly in my recollection it is unprecedented, and that
(19) is to have a major inquiry into a matter like this and to
(20) have it broad enough to look at both parties. And you are
(21) part of that, not just look at both parties but to do it
(22) early, and to do it often, if necessary, if there are
(23) credible allegations.
(24) So you may find this much attention this early in this
(25) investigation somewhat unusual, but it shouldn't be looked

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(1) at that way. We have heard testimony of paying \$50,000 to
(2) get into a radio address with the President, paying \$100,000
(3) to get in to see someone at the NSC, heard references to
(4) drug dealers and gun runners contributing and apparently
(5) buying their way into the White House. We have heard from
(6) Commerce officials. We have heard from CIA officials. We
(7) have heard from DNC officials. But only now do we have the
(8) broader coverage, shall we say, of these proceedings because
(9) of you, who is now a private citizen.
(10) But I want you to put that all aside because, having
(11) said that, there are some important questions that you need
(12) to answer. And you have come to do that, and we are going
(13) to spend some time--we are going to spend how ever much time
(14) it takes to go through these things.
(15) The question of whether or not the Policy Forum was an
(16) independent organization, you have addressed that, but if
(17) you step back and look at it, it is a valid question. The
(18) RNC provided the seed money for it.
(19) Mr. Barbour. Yes, sir.
(20) Chairman Thompson. You were the head of it at the same
(21) time that you were head of the RNC. You have heard the
(22) reference of Mr. Baroody. He had a letter. Then he had his
(23) testimony. Mr. Bolton, we haven't heard his testimony, but
(24) you have probably undoubtedly seen a letter from him. Both
(25) Mr. Baroody and Mr. Bolton were concerned about maintaining

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(1) that separation. So you ought to be able to understand why
(2) that gives the appearance that maybe there wasn't sufficient
(3) separation, all those factors together.

(4) What do you have to say about that in addition to what
(5) you have already said?

(6) Mr. Barbour. First, Senator, I want to say I am glad
(7) to be here. I would much rather be here and have a chance
(8) to respond than to just be leaked on in the press forever.
(9) So I appreciate the chance, and I was serious when I said
(10) that I appreciated the minority letting me be here to
(11) answer.

(12) The National Policy Forum was separate. The National
(13) Policy Forum was a like-minded organization to the
(14) Republican National Committee, and like-minded organizations
(15) help each other. And the National Policy Forum was my idea.

(16) It was separate, and it was separate for some very good
(17) reasons, Senator, if I may.

(18) First of all, it was clear to me--

(19) Chairman Thompson. It was part of your campaign
(20) pledge, was it not, when you ran? I mean, you kind of had a
(21) stake in setting this up, did you not?

(22) Mr. Barbour. Senator, I did, and I said when I ran, I
(23) had what I called the Barbour plan, and one point was to set
(24) up a policy institute. And I--and, really, the
(25) consideration I had given at that stage was for it to be

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(1) part of the RNC. But the further the spring went along, the
(2) more people I talked to, I realized that there were really
(3) three big reasons that was a mistake.

(4) One is if it was an RNC organization, we would not get
(5) the grassroots participation we want. A lot of people who
(6) vote Republican every election don't want to be part of the
(7) party organization, the party apparatus. We had 20 percent
(8) of the people that voted for Perot 6 months before. We
(9) wanted those people to feel welcome. And if it was a
(10) Republican apparatus organization, a lot of people who we
(11) were trying to get involved and let them know that there
(12) were people in the country that wanted them to have a voice,
(13) we thought they would never--that they would never help us,
(14) would never do it.

(15) Secondly, I have been around this since the '70s. If
(16) it was an RNC operation, it would fail quickly to focus
(17) exclusively on policy. The people that--most of the people
(18) at the RNC, their goals are very campaign-oriented. We
(19) wanted and made the National Policy Forum totally policy-
(20) oriented.

(21) We gave you all I don't know how many hours of
(22) videotape. It is all about policy. There is no--some
(23) people here spoke at those conferences. People were given
(24) instructions: You cannot talk about elections. You cannot
(25) talk about elections.

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(1) But if it had been the RNC staff running it, that's all
(2) they know how to do. That's what they want to do. So you
(3) were going to spoil the idea that you're inviting people to
(4) have a voice in policy.

(5) The third thing--and very frankly, it was important,
(6) though it may seem minor today--when I said running for
(7) chairman that I wanted a policy institute, it was used
(8) against me. Some people said, yeah, oh, Haley wants to
(9) rewrite the abortion plank in the platform. That's the code
(10) word for what policy institute means. And it was talked
(11) about openly. And so I recognized, if it wasn't part of the
(12) party, nobody could say I was writing the platform.

(13) Those are the three reasons: to get participation, to
(14) not let it become about campaigns, and to get the pro-life
(15) people where they didn't misread this.

(16) Chairman Thompson. But yet Mr. Baroody and Mr. Bolton
(17) both had concerns. They were your friends. They were
(18) people that you had put in there, I suppose. And they wound
(19) up, both of them, having concerns that there wasn't
(20) sufficient separation.

(21) Mr. Barbour. Well, Mike I think testified yesterday
(22) about the separation. As you know, within a year, the
(23) National Policy Forum got \$2 million in debt to the
(24) National-Republican National Committee. It was a huge
(25) concern. And I think, you know, Scott Reed, who was

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(1) executive director of the National Committee, was always
(2) just chewing on me about getting paid back, and I think Mike
(3) made that plain that was part of his concern.

(4) But the real concern with Mike Baroody, who, as you've
(5) seen, is a fine, smart, honorable, good man, Mike is very
(6) thoughtful and deliberate. We needed somebody in there who
(7) was much more action-oriented to get these forums started.
(8) We wanted to have 60 forums in 6 months. And as he said in
(9) his testimony yesterday, it was that I was pushing people in
(10) to eat away at some of his authority that concerned him, and
(11) the last thing that concerned him, that we just see very
(12) differently.

(13) He named three things in those letters that I see very
(14) different from him. One is--

(15) Chairman Thompson. Well, they speak--I don't want to
(16) cut you off, but they speak for themselves. I agree that
(17) that is what he said and the nature of the differences that
(18) he had. It would seem to me that you would think, in
(19) retrospect, anyway, that all of this, plus the fact that you
(20) were heading both organizations, plus the fact it was in
(21) your platform, and the fact that you provided the seed
(22) money, would make any appearances of any foreign involvement
(23) that much more radioactive, even though it is legal, even
(24) though it takes a bank shot to get to it. That, you know,
(25) we set up these various categories of what you can do in our

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(1) campaign finance system, which is a total mess, and I think
(2) being demonstrated to be more every day, in what foreign
(3) entities can do and can't do, and they can do certain things
(4) with certain other groups, and then those groups can do
(5) things with regard to political parties.

(6) But stepping back from it, and, I mean, haven't we
(7) learned one thing from this? Even though there might be a
(8) legal transaction involved, with all of these other kind of
(9) inter-relationships--and you don't make any bones about it.
(10) I mean, the articles of incorporation for the National
(11) Policy Forum, you say it is to develop a Republican policy
(12) agenda. And as you say, it is kind of like the DLC.

(13) Mr. Barbour. The DLC, sure.

(14) Chairman Thompson. But with all of that, I mean,
(15) doesn't it make it that much more important as we go on in
(16) the future if we don't scrap this whole thing, which is what
(17) I think we ought to do, to make sure that we don't get into
(18) that and people don't get into that kind of a situation
(19) again?

(20) Mr. Barbour. Senator, one--I said in my statement or
(21) my remarks, and I believe it, even though it was totally
(22) legal at all times that this could be from a non-U.S.
(23) source, I thought it was politically good when I thought
(24) Young Brothers Development (USA) could give to the RNC,
(25) could give to a political party.

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(1) Chairman Thompson. What do you think about it now?

(2) Mr. Barbour. Well, I wish I had known the facts that
(3) they couldn't. You know, they had been giving to the RNC
(4) for years. And I'm familiar with the RNC's compliance
(5) program. It never entered my mind that they could not.
(6) They had been giving for some time--long before I was
(7) chairman, anyway. But as I said, I considered that
(8) lagniappe. I thought that was--that it was icing on the
(9) cake that they could give, and I thought it was good
(10) politics, even though legally it had zero--it was totally
(11) irrelevant.

(12) So even at the time, I thought we were having a
(13) guarantor that was an entity that could contribute and was
(14) contributing. And I want to be fair to them. I think the
(15) Young Brothers people thought they could legally contribute.
(16) too. I think they honestly thought that.

(17) Chairman Thompson. Sure. But when you are sitting on
(18) a boat in the Hong Kong harbor talking to a gentleman who is
(19) a resident of--a citizen of Taiwan, I mean, that does raise
(20) certain other potential implications in terms of
(21) appearances. But it is an appearance business that we are
(22) both in, isn't it?

(23) Mr. Barbour. Well, appearances, what--the old saying
(24) in politics is that perception's reality.

(25) Chairman Thompson. Let me move on to maybe one or two

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(1) more points, and then I want to—I will ask my colleagues to
(2) question.
(3) One of the things out of all of this, as I waded through
(4) it, the transaction, I mean, it is clear now that it is like
(5) every lawyer on the eastern seaboard had a crack at this
(6) thing and approved it. But when you step back from it, this
(7) gentleman, Ambrous Young, it looks to me like we owe him
(8) some money. I say "we." I mean the Republican National
(9) Committee. I don't see any legal obligation there, but it
(10) looks to me like that you had a situation there where this
(11) gentleman, whether he is a citizen or not, caused his
(12) company to put up some money that was lost at a time when he
(13) was thinking, anyway, that the RNC had a moral obligation to
(14) step in there and do what it could.
(15) Mr. Barbour. Senator—
(16) Chairman Thompson. And he is holding the bag to the
(17) extent of \$800,000. So legalities aside, you know, a deal
(18) is a deal, and don't you think maybe that you and I both
(19) ought to urge that that thing be looked at again?
(20) Mr. Barbour. Senator, the fact of the matter is I feel
(21) like that's what we did do. You made the point, rightly—
(22) and Mr. Becker made the point when he testified—that the
(23) RNC did not guarantee the loan, that that subject was
(24) broached, and it was made plain the RNC would not give a
(25) secondary guarantee and is not liable. And when the

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(1) settlement occurred in January, Mr. Becker wrote that, that
(2) the RNC wasn't a part of this, wasn't responsible.
(3) But just in fairness, when the National Policy Forum
(4) defaulted, I had told Mr. Young and had told Mr. Richards
(5) that this was going to happen. They had missed a payment.
(6) There had been an agreement to defer. But I—when the
(7) default happened—the default was about \$1.5 million. I
(8) can't tell you to the penny. The RNC budget committee
(9) tabled the request to do something until after the election,
(10) and after the election, the RNC came in and loaned the
(11) National Policy Forum, which was about to close, half of the
(12) loss.
(13) Senator Bennett said it earlier. The RNC's out about
(14) \$2.5 million. Young Brothers Development's out about
(15) \$700,000. They would be out twice that much except we
(16) offered—they didn't come to us. As Mr. Volcansek said, we
(17) reached out to them and said, look, we know—we didn't mean
(18) for you to—talking about me, I didn't mean for you to get
(19) stuck with this. The deal didn't—wasn't able to pay off.
(20) The RNC will lend them the money to put all this to rest.
(21) So I have to say to you, Senator, yeah, I wish—I wish
(22) they had not lost \$700,000. I wish the RNC hadn't lost \$2.5
(23) million.
(24) Chairman Thompson. But the RNC—
(25) Mr. Barbour. They can take my chairmanship—

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(1) Chairman Thompson. But the RNC's loss doesn't have
(2) anything to do with that loss. When Mr. Young's company put
(3) up the \$2.1 million, it was clear they wanted to be paid
(4) back. I mean, they didn't want to lose that money. This
(5) wasn't going to be a donation or a contribution in their
(6) book. And one of the things that they sought was some
(7) feeling of comfort from you that you would make your best
(8) efforts to get the RNC, although they had no legal
(9) obligation to stand good for if worse came to worse. Is
(10) that not correct?
(11) Mr. Barbour. That's exactly right.
(12) Chairman Thompson. All right. Worse did come to
(13) worse, and you asked somebody to go to the relevant
(14) committee, and they said no. And that was—then you—then
(15) the RNC decided to take care of about half of it. And all
(16) I'm saying is that they were—it looks to me like they were
(17) counting on the RNC to do that, that they believed in what
(18) we were doing, that they stepped up to the plate big time,
(19) and you or I, neither one, now have anything directly to do
(20) with it. But I don't think that sends a very good signal in
(21) terms of personal responsibility or anything else. I think
(22) if we knew that they were expecting us to weigh in on that
(23) thing, that they thought that you had the clout to get the
(24) job done, that you would try your best to get the job done,
(25) and if you did that, then that absolves your responsibility,

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(1) I'd say, personally. But as far as I am concerned, that
(2) doesn't absolve the RNC responsibility. That is my opinion.
(3) I am going to defer the rest of my time to Senator
(4) Collins. Senator Collins?
(5) Senator Collins. Good afternoon, Mr. Barbour.
(6) Mr. Barbour. Good afternoon, Senator Collins.
(7) Senator Collins. I wanted to say that of all the
(8) allegations that have come before this Committee, the ones
(9) involving the receipt or solicitation of foreign money are
(10) the most troubling to me, because the idea of foreign money
(11) or foreign influence over our political process strikes
(12) really at the heart of our democratic system, and those to
(13) me are the most important allegations and they are the ones
(14) that I am determined to get to the bottom of. And I don't
(15) have a different standard for Republican wrongdoing or
(16) Democratic wrongdoing. I think all needs to be aggressively
(17) pursued.
(18) I am sure that you, Mr. Barbour, would agree that if
(19) the RNC received money from foreign sources, that that would
(20) be wrong. Is that correct?
(21) Mr. Barbour. The RNC is not allowed to accept
(22) contributions from foreign sources except in one very, very,
(23) very narrow area, which is not something we are talking
(24) about today.
(25) Senator Collins. That is correct, and we know for a

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(1) fact that the RNC has returned a few contributions that have
(2) turned out to be of questionable source. And the DNC has,
(3) in fact, accepted a great deal of foreign money that it has
(4) had to return.
(5) In this debate, I think it is important that we
(6) distinguish between which entities actually received and
(7) kept money that may be of foreign origin. And in that
(8) regard, I want to go back to an example which the minority
(9) counsel raised with you about contributions from companies
(10) that are associated with Ted Sieong or his daughter. It's
(11) the Panda Industries case that was discussed previously.
(12) To assist us in that discussion, I would like to direct
(13) your attention to Exhibit 504, if that could be brought up
(14) on the screen.
(15) Mr. Barbour. Yes, Senator, I can see it on the screen.
(16) I haven't found it, but I can see it on the screen okay.
(17) Senator Collins. Do you have a hard copy as well?
(18) Mr. Barbour. I just got it. Yes, ma'am.
(19) Senator Collins. Mr. Baron, the minority counsel,
(20) asked you about Panda Industries, which contributed \$50,000
(21) to the National Policy Forum, and he implied in his
(22) questioning that this may be a case of foreign money. But I
(23) do want to distinguish here that this contribution, if, in
(24) fact—and there is some question about whether it is foreign
(25) money, but I will accept the premise of Mr. Baron's

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(1) questioning that it is—that this actually went to the
(2) National Policy Forum and not the RNC. Is that correct?
(3) Mr. Barbour. Yes, ma'am, that is correct.
(4) Senator Collins. And at the time that this
(5) contribution was received, the NPF, like the Democratic
(6) Leadership Council and other think tanks, could legally
(7) receive foreign money. Is that accurate?
(8) Mr. Barbour. Yes, ma'am, that is accurate.
(9) Senator Collins. By contrast, the DNC, the Democratic
(10) National Committee, which is prohibited from receiving
(11) foreign money, received a total of \$250,000 from various
(12) companies controlled by Ted Sieong or his daughter, Jessica
(13) Elnitiarta—I may not have gotten it right—and their
(14) companies. Is that what the chart shows you?
(15) Mr. Barbour. It is, and that is what has been reported
(16) in the papers.
(17) Senator Collins. Let me go just briefly through the
(18) circumstances of these donations. I think you have
(19) explained in response to the questions from the minority
(20) counsel the one to the National Policy Forum. For the
(21) record, let me just go through the other three contributions
(22) from these companies that were made to the Democratic
(23) National Committee.
(24) The first contribution in February of 1996 is related
(25) to a fund-raiser that was held here in Washington at the

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(1) Hay-Adams Hotel, and this was John Huang's first fund-
(2) raiser, and indeed the Committee staff investigation has
(3) indicated that all three of these substantial contributions
(4) to the DNC were solicited by Mr. Huang.

(5) I would note that Mr. Sieong and his family also
(6) attended the infamous Buddhist temple fund-raiser in
(7) California, which featured Vice President Gore. It is my
(8) understanding based on the Committee's work that actually
(9) Mr. Sieong and his family were given comp tickets to that
(10) fund-raiser because they didn't like their seats at the Hay-
(11) Adams Hotel fund-raiser. In fact, Mr. Sieong apparently sat
(12) next to Mr. Gore at the temple fund-raiser, so he certainly
(13) got a seat that would be much coveted.

(14) The next two contributions were in relationship to two
(15) other fund-raisers, one a May fund-raiser at the Sheraton
(16) Carlton Hotel and the second one a July fund-raiser in Los
(17) Angeles. In those two fund-raisers, the President,
(18) President Clinton, was in attendance. And it is my
(19) understanding, again, that John Huang solicited all three
(20) contributions for a total of \$250,000.

(21) Now, testimony that we received 2 weeks ago from the
(22) finance director of the Democratic National Committee
(23) indicated that the screening system at the DNC completely
(24) collapsed and that in the rush, the haste to get money,
(25) there was a lack of concern for the source of the money.

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(1) Could you explain to the Committee what steps the RNC
(2) took to ensure that it was not receiving foreign money in
(3) violation of the law?

(4) Mr. Barbour. Senator, the Republican National
(5) Committee has a very rigorous, intensive, and very strictly
(6) enforced compliance program to comply with the Federal
(7) Election Commission's regulations. Our fund-raisers, who
(8) are on the staff, are trained. The people in the Accounting
(9) Department who receive the checks, they are trained. Large
(10) contributions are screened. When we have volunteer fund-
(11) raisers, they are taught. I have actually spoken myself-I
(12) didn't have a whole lot to add. I have spoken myself at
(13) seminars for volunteer fund-raisers, State finance chairmen.
(14) Our Legal Department puts on seminars for party fund-raisers
(15) at the State campaign and national level.

(16) But the most important thing is that we don't deviate-
(17) I mean, we rigorously enforce this, and that's why I am very
(18) proud of the fact that in the 1996 election cycle we raised
(19) nearly \$225 million in those 2 years, that we must have had-
(20) let me think real quick. We probably had 4 million or
(21) more-we had more than 4 million contributions. Almost none
(22) slipped through.

(23) When I was-when we were coming up with the files to
(24) give the Committee, I saw and got tickled at a note from a
(25) man who wrote and said, "I sent you \$65. I didn't know I

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(1) couldn't because I'm a Canadian citizen and I don't have a
(2) green card." And we sent him his \$65 back. He had made two
(3) contributions for like \$40 and \$25.

(4) But if you look through '95 and '96, there are almost
(5) no contributions, none of any size that I recall, which is a
(6) tribute-not to me because this system-Senator, this system
(7) was in place when I got there, and they take it very
(8) seriously and the lawyers and the accounting people do a
(9) very good job. And when we raised \$330 million last year-
(10) I'm sorry, \$150-something million last year, the system
(11) never collapsed because our position was if we have to go
(12) slow, if it takes longer to get all the paperwork done,
(13) that's just too bad. We're not letting our defenses down.
(14) And we didn't.

(15) Senator Collins. One of the contributions that
(16) particularly troubled me that we've discussed in previous
(17) testimony that went to the DNC was a \$325,000 check from a
(18) Yogesh Gandhi, who had never written a check before to any
(19) political entity or candidate, never even had written a
(20) check \$25,000. That money subsequently has been determined
(21) to have come from overseas. Mr. Gandhi ironically was being
(22) sued at that time for non-payment of a bill to a former
(23) employee; he did not have sufficient assets to even file a
(24) tax return.

(25) Did you have a system in place so that a check of that

(1) size would automatically receive additional scrutiny to
(2) ensure-particularly if it came from someone without any
(3) history of participation as a contributor?

(4) Mr. Barbour. Yes, ma'am, and, again, rigorously
(5) enforced. Even-I can even remember one of our finance
(6) leaders saying to me-introducing to me at a dinner this man
(7) who was going to give \$100,000 that I had never heard of.
(8) And after I met him and I-I leaned back and said to her,
(9) you all check this guy out, now, because you just don't have
(10) many people that sort of float in the door and give you
(11) \$10,000, much less \$100,000 or \$325,000. But the Legal
(12) Department and the Accounting Department working with the
(13) finance people, very, very strenuously, and when you get big
(14) donations from people you don't know, obviously that gets
(15) immediate scrutiny.

(16) Senator Collins. Thank you, Mr. Chairman. I would
(17) like to reserve the balance of my time.

(18) Chairman Thompson. All right. Senator Smith?
(19) We do have a vote on. We will recess and try to return
(20) in 10 minutes. Do you think we can do it? We will be in
(21) recess for 10 minutes.

(22) [Recess.]

(23) Chairman Thompson. Let's come to order, please.

(24) All right. We will start our 10-minute rounds and
(25) proceed with Senator Levin.

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(1) Senator Levin. Thank you, Mr. Chairman.

(2) Good afternoon, Mr. Barbour.

(3) Mr. Barbour. Good afternoon, Senator Levin.

(4) Senator Levin. Mr. Barbour, in response to earlier
(5) questions, you indicated that the question of whether or not
(6) foreign money was received by NPF was irrelevant because it
(7) was permitted to receive foreign money if, in fact, it was a
(8) 501(c)(4). Is that correct?

(9) Mr. Barbour. Well, sir, actually, if it is a nonprofit
(10) or any other kind of organization, that is not subject to
(11) the jurisdiction of the Federal Election Commission or the
(12) Federal Election Campaign Act. I mean, it doesn't have to
(13) be a 501(c)(4) or (c)(3).

(14) Senator Levin. That is fine. Now, in Mr. Baroody's
(15) letter to you, which you are familiar with, his resignation
(16) letter, he said that the 501(c)(4) section requires separate
(17) operation-and I am quoting here-and then he says the
(18) following, "Especially in recent months, it has become
(19) increasingly difficult to maintain the fiction of
(20) separation."

(21) Mr. Barbour. Senator?

(22) Senator Levin. Now, if I can just-

(23) Mr. Barbour. I apologize, Senator. Could you tell me

(24) where it is, so we could get it in front of us, too?

(25) Senator Levin. Yes, absolutely. It is on the screen

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(1) right there.

(2) Mr. O'Donnell. What tab is that, Mr. Baron?

(3) Senator Levin. It is Exhibit 273.

(4) Mr. Barbour. 273. Yes, sir. His memorandum?

(5) Senator Levin. Yes.

(6) Mr. Barbour. Yes, sir.

(7) Senator Levin. In the middle of the second page, it
(8) says there-it is italicized in the middle-that 501(c)(4)
(9) requires separate operation, and then he said, "Especially
(10) in recent months, it has become increasingly difficult to
(11) maintain the fiction of separation."

(12) Now, the reason that that is so important, as to
(13) whether or not you are separate or not-there are many
(14) reasons why it was important, but one of them is if, in
(15) fact, you are an affiliate of or a subsidiary of or part of
(16) or too closely connected to the Republican National
(17) Committee, then foreign contributions that it might receive
(18) would become very relevant, indeed. Is that not true?

(19) Mr. Barbour. Senator, if an organization is a
(20) nonprofit that is not part of a political committee, it may
(21) accept foreign contributions. If it is part of a political
(22) committee that is covered by the Act, the Federal Election
(23) Campaign Act, it may not.

(24) Senator Levin. Thank you.

(25) Now, therefore, it is very relevant, indeed, as to

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(1) whether or not the NPF is a separate organization, whether
(2) it is affiliated with the RNC or not, for the reason that
(3) you just gave.
(4) Now, would you agree that the NPF was affiliated with
(5) the RNC?
(6) Mr. Barbour. No, sir. It was a like-minded
(7) organization, in the same way that the Democratic Leadership
(8) Council is a like-minded organization to the Democratic
(9) National Committee.
(10) Senator Levin. When Mr. Baroody wrote you that the
(11) fiction of separation is, indeed, no longer, is increasingly
(12) difficult to maintain, did you tell him at that point, you
(13) disagreed with him on that?
(14) Mr. Barbour. Yes, sir, I did, and I--
(15) Senator Levin. But he was familiar with the--he was
(16) familiar with the operation, was he not, of the National
(17) Policy Forum? He was president, was he not, of the National
(18) Policy Forum?
(19) Mr. Barbour. He was the president.
(20) Senator Levin. And would you say he would be familiar
(21) with the operations of it?
(22) Mr. Barbour. Well, of course, he was, and he testified
(23) about it yesterday, and about the separateness.
(24) Senator Levin. And you have been asked about Exhibit
(25) 259, and if we could put that up there, too, this is the

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(1) memo of June 10th that you said your nephew wrote about Team
(2) 100 structure, and on--
(3) Mr. Barbour. Yes, sir.
(4) Senator Levin. --page 2, under National Policy Forum,
(5) it says there in the second line that the RNC is creating
(6) the National Policy Forum as an issue development
(7) subsidiary. I think your answer was, well, your nephew
(8) wrote that. My question is, did you read that before it was
(9) sent out?
(10) Mr. Barbour. No, sir, I never read this before it was
(11) sent out.
(12) Senator Levin. It was under your name, though; is that
(13) correct?
(14) Mr. Barbour. That is correct.
(15) Senator Levin. All right.
(16) Mr. Barbour. And it is inaccurate, and it was caught
(17) at the time, and those--everybody was made aware that it was
(18) inaccurate. You will find, Senator Levin, throughout the
(19) files of the RNC early in 1993, documents that think that
(20) that is the way we were going to go, because we did talk
(21) about it that way and ultimately made the decision that was
(22) not the right way, as I discussed earlier with Senator
(23) Thompson.
(24) Senator Levin. Right. And you also have been asked
(25) about Exhibit 327, where the memo to you from Kevin Kellum

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(1) of Team 100 staff--and three scenarios are proposed as to
(2) how to direct a contribution, direct a contribution of a
(3) million dollars, Document 327. In two of those scenarios,
(4) large contributions to NPF were recommended. Is that
(5) correct?
(6) Mr. Barbour. I'm sorry?
(7) Senator Levin. In two of those scenarios, large
(8) contributions to NPF are recommended. Is that correct?
(9) Mr. Barbour. Well, I don't know that he's--I don't
(10) know that he's recommending, but--
(11) Senator Levin. Well, there--
(12) Mr. Barbour. --he has listed three scenarios, two of
(13) which mention the National Policy Forum as a recipient.
(14) Senator Levin. Now, that is something which you are
(15) able to direct, is that correct, just to notify a
(16) contributor of a million dollars that he can send--he can
(17) send a whole bunch of money to NPF or to RNC. You are able
(18) to direct that.
(19) Mr. Barbour. Senator, I believe that--
(20) Senator Levin. And you are telling us that these
(21) organizations, though, are not affiliated.
(22) Mr. Barbour. Senator, I believe I said earlier that I
(23) don't believe this gentleman or his company made such a
(24) contribution.
(25) Senator Levin. All right.

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(1) Mr. Barbour. The fund-raisers are eternal optimists.
(2) I mean, hope springs eternal.
(3) Senator Levin. All right. Let's take a look, if you
(4) would, at Exhibit 297. This is the Commercial Credit memo,
(5) part of the loan, the Signet loan. Do you see in paragraph
(6) one, the first line, where it says the National Policy
(7) Forum, a 501(c)(4) nonprofit, was formed in May of 1993?
(8) Now, this is dated October 12, 1994, but it says there that
(9) it was formed in 1993 as an offshoot of the Republican
(10) National Committee. Do you see that?
(11) Mr. Barbour. Yes, sir, I see that.
(12) Senator Levin. All right. Is that inaccurate?
(13) Mr. Barbour. Yes, sir, it is inaccurate.
(14) Senator Levin. So--
(15) Mr. Barbour. And I should say, Senator, as I
(16) understand this document, which I had never seen until this
(17) year, that this document was not written by anybody at the
(18) Republican National Committee or the National Policy Forum.
(19) Senator Levin. But this is--
(20) Mr. Barbour. On this page, I see several things that
(21) are not accurate.
(22) Senator Levin. So your nephew's memo was inaccurate.
(23) The Commercial--
(24) Mr. Barbour. My nephew's memorandum reflected what the
(25) thinking had been weeks and weeks before, but by the time it

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(1) was circulated--
(2) Senator Levin. Before?
(3) Mr. Barbour. Before the decision--before it was
(4) written. As I said earlier, said in my opening statement, I
(5) had originally considered this being a part of the RNC, and
(6) as I told Senator Thompson, the reasons I decided that was
(7) not the right thing to do, and what was written by Henry in
(8) early June probably reflected the thinking of a few weeks
(9) before, but by then, the decision had gone the other way.
(10) Senator Levin. So that, the memo was inaccurate then.
(11) The IRS is inaccurate, you are saying, in their conclusions.
(12) Baroody is inaccurate. The Commercial Credit memorandum
(13) people are inaccurate. All of these folks are inaccurate
(14) when they call you an offshoot of, a subsidiary of, and it
(15) seems to me that this becomes a very critical issue for a
(16) very obvious reason, and that is that if, in fact, they are
(17) right and that the Forum was, indeed, run as a subsidiary
(18) of, an affiliate of, that the foreign money issue becomes
(19) absolutely critical, and you have agreed to that, because
(20) then a contribution to the Forum becomes a contribution to
(21) the RNC and the RNC is not allowed to accept a foreign
(22) contribution, and that is why the issue is so critical, and
(23) I do not think it is enough for you simply to say it is
(24) irrelevant whether or not the money that came from Hong Kong
(25) was, in fact, from Hong Kong because NPF could accept a

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(1) foreign corporation. It is not irrelevant. It is very
(2) relevant as to where that money came from because if the two
(3) organizations were affiliate, as all these folks thought
(4) they were, IRS, et cetera, then that issue becomes a very,
(5) very critical issue, the foreign money issue.
(6) Now, fiction number one, according to Mr. Baroody, was
(7) that these were separate organizations. Fiction number two
(8) was the foreign money itself. You indicated you did not
(9) know at the time that the money originated in Hong Kong, but
(10) the general counsel knew other people who were very actively
(11) engaged in getting that loan guarantee, knew that that money
(12) was from Hong Kong, and there is evidence that you knew, but
(13) you indicate that you did not, you must have misunderstood
(14) Mr. Young or whatever, but the RNC knew at the time.
(15) Mr. Barbour. The RNC knew what at the time, sir?
(16) Senator Levin. That the source of that loan guarantee
(17) was Hong Kong money.
(18) Mr. Barbour. Sir?
(19) Senator Levin. The general counsel knew.
(20) Mr. Barbour. No, sir. Senator, the general counsel
(21) didn't know.
(22) Senator Levin. Now, all the people who have testified
(23) that they knew who helped to raise that loan guarantee were
(24) acting on behalf of the NPF, is that not correct, and they--
(25) Mr. Barbour. You said, Senator, the RNC knew

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(1) Senator Levin. All right.
(2) Mr. Barbour. And that's what I was disagreeing with.
(3) You said the RNC knew. The RNC didn't know.
(4) Senator Levin. Didn't Mr. Norcross--
(5) Mr. Barbour. That is what you said.
(6) Senator Levin. Didn't Mr. Norcross, as general counsel
(7) of the RNC?
(8) Mr. Barbour. General counsel of the RNC is Mr.
(9) Norcross.
(10) Senator Levin. And did--
(11) Mr. Barbour. There is no evidence here that he knew.
(12) It's my understanding he did not.
(13) Senator Levin. Mr. Becker testified yesterday that--
(14) Mr. Barbour. It's my understanding, and perhaps you
(15) should like to ask Mr. Norcross, that Mr. Norcross did not
(16) know; that at the time, he told me that politically he
(17) thought it was good that NPF had gone this way because it
(18) was a U.S. company that could make contributions to American
(19) political committees, to FEC-covered political committees.
(20) There is no--
(21) Senator Levin. Mr. Norcross, you are saying--
(22) Mr. Barbour. Just ask him, Senator.
(23) Senator Levin. Yes, okay.
(24) Chairman Thompson. One final question.
(25) Senator Levin. All right. The one final question is

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(1) this. On RNC stationery, Exhibit 285--well, no. Let me
(2) just ask a different question. Exhibit 299. When this
(3) money came into the RNC--
(4) Mr. Barbour. 299?
(5) Senator Levin. I am sorry. 299.
(6) Mr. Barbour. 299?
(7) Senator Levin. The NPF is now--has the money and is
(8) now paying back a million-six to the RNC. This memo says
(9) that, in paragraph 2, the remaining \$1.6 million will be
(10) used to retire loans from the RNC. However, they--that is
(11) the RNC--would like to receive payment on October 20. That
(12) is a week later. We would like to hold these funds in our
(13) savings account until the 20th. This is the NPF writing to
(14) the bank.
(15) The 20th of October is the day after the final filing
(16) day for disclosure for the elections of 1994. Is that a
(17) coincidence?
(18) Mr. Barbour. Senator, let me just say, Mr. Baron
(19) showed me this letter when he took my deposition, and I told
(20) him then I had not seen the letter before. He asked me was
(21) it the fact that October the 20th would have been the first
(22) day of the new filing period.
(23) Senator Levin. Which isn't due until after the
(24) election?
(25) Mr. Barbour. After the election, that is correct. He

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(1) asked me was that the occasion. I told him and will tell
(2) you, I never talked to Steve Walker about it, but if he had
(3) asked me, if he would have asked me, I would have told them
(4) wait and make the payment, the repayment, actually, on
(5) October 20th or thereafter, because when you are raising
(6) money like we do, almost not exclusively, but very heavily
(7) from small donors, you don't want the newspaper saying the
(8) RNC got a \$1.5-million contribution or a \$2.5-million
(9) contribution because then your small donors say, well, they
(10) don't need more money. You know, that chills--the small
(11) donors drive our party. Our average contribution at the RNC
(12) was \$45.
(13) Senator Levin. This was repayment of a loan. This was
(14) not a contribution.
(15) Mr. Barbour. Well, that is right, but for repayment of
(16) a loan or a big contribution, if asked, I would have said
(17) you report the contributions when they are made, as you
(18) know, Senator. Get them to make the repayment or get them
(19) to make the contribution in the next reporting period
(20) because, if you don't, the small donors who float our boat
(21) will say, well, they don't need the money.
(22) So, while Steve didn't ask me, that is what I would
(23) have told him if he'd have asked me.
(24) Senator Levin. Thank you.
(25) Chairman Thompson. All right.

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(1) Mr. Barbour. Senator, may I say one thing? It's my
(2) understanding that Senator Levin said that Mike Baroody said
(3) that the organizations were not separate. My understanding
(4) is that he said the organizations were separate.
(5) Senator Levin. I quoted Mr. Baroody earlier.
(6) Mr. Barbour. In his responsibility yesterday, it is my
(7) understanding, Mr. Baroody said that the organization was
(8) separate, and if he said that, I agree with him. If he
(9) didn't, we see it differently.
(10) Chairman Thompson. My recollection of his testimony
(11) had to do with, he thought that there were problems of
(12) separation with regard to some administrative areas or
(13) administrative duties or something of that nature, but not
(14) with regard to other matters, but the record will speak for
(15) itself.
(16) We have got several members here. We are going to have
(17) to adhere a little more closely to the time. The majority
(18) has got an extra five minutes. I would like to use about
(19) one minute of that, if I may.
(20) On the issue of whether or not the RNC and the NPF
(21) being too close, as we know, that has charitable status
(22) ramifications, as you have said, and I think Senator Levin
(23) was suggesting that it also would have FEC ramifications,
(24) also.
(25) My understanding is that at least an equally important

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(1) part of that would be whether or not the organization of NPF
(2) is engaged in political activities.
(3) Mr. Barbour. Yes, sir.
(4) Chairman Thompson. And I would be interested if there
(5) is any evidence that the NPF is out supporting any
(6) individual candidates, doing voter guides or anything
(7) connected with or alleged against so many of these
(8) independent groups that we hear about, that that certainly
(9) would trigger FEC consequences, and as we go on, perhaps we
(10) may hear some testimony about that, but as far as I know,
(11) there has been no testimony that any activity like that was
(12) engaged in by the National Policy Forum. Am I correct?
(13) Mr. Barbour. I think every witness with knowledge has
(14) told you specifically that none of that was done, and I have
(15) said it in my remarks that there was no advocacy to elect or
(16) defeat the candidates, there was no political advertising,
(17) no contributions to campaigns, parties, PACs. There was no
(18) PAC affiliated with this. There is no independent
(19) expenditure, no issue advocacy advertising, no
(20) get-out-the-vote, no voter registration, no nothing.
(21) Chairman Thompson. I will reserve the balance of my
(22) time and call on Senator Brownback.
(23) Senator Brownback. Thank you very much, Mr. Chairman,
(24) and welcome, Mr. Barbour, to the Committee. Thank you for
(25) coming here.

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(1) I think you set a nice example by being here and being
(2) willing to testify and standing up and answering questions,
(3) and I hope it is an example that a lot of other witnesses
(4) are willing to take--
(5) Mr. Barbour. Thank you, Senator.
(6) Senator Brownback. --to help this Committee to get to
(7) the bottom of what we are trying to get after, if people will
(8) come forward and testify and take the questions.
(9) I want to go at one narrow area with you, if I could,
(10) and explore this on the particular issue of attempts by
(11) non-U.S. citizens or foreign entities, be they governments
(12) or corporations or others, to influence U.S. policy. I want
(13) to go at that narrow issues, and I want to go at it
(14) specifically and I want to go at it in general, just to let
(15) you know what I am curious about, because it seems to me
(16) that that is the biggest issue we are really trying to delve
(17) into, the attempts by foreign entities to influence U.S.
(18) elections and what is taking place.
(19) Now, going at it specifically, to start off with, Mr.
(20) Ambrous Young is the key figure that we have been talking
(21) about here with you, and the guarantee of the loan he did to
(22) the National Policy Forum.
(23) He then authored some articles, or at least one
(24) article, didn't he, in the NPF publication, Commonsense?
(25) Mr. Barbour. Yes, sir. It's published as two

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[1] different articles. I'm not sure that it might have once
[2] been one, and it was so long, it got split in two, but it is
[3] two articles, as it shows up in Commonsense, which is our
[4] quarterly journal. Yes, sir.
[5] Senator Brownback. Now, why was he asked, and why was
[6] he willing to write those?
[7] Mr. Barbour. Well, he was—I asked him, and I asked
[8] him because in talking to him, it was clear that what-his
[9] views that he expressed that night at dinner were consistent
[10] with not only Republican policy, but the policy of the
[11] United States, and that is that there is one China. You
[12] know, we have a one-China policy. We have had it under
[13] Republican and Democrat administrations, and so this guy was
[14] the head of a family that we were trying to get to help. So
[15] I asked him if he would like to write.
[16] When he wrote to John Bolton, who was the president of
[17] National Policy Forum at the time, was a former Assistant
[18] Secretary of State, who edited the articles—and the
[19] articles were pretty well, plain, normal, American, not only
[20] Republican, but American policy toward-toward China, the
[21] policy that Nixon had, the policy Bush had, Reagan, Clinton,
[22] but he wrote it because I asked him to.
[23] Senator Brownback. Do you know if he was trying to
[24] push a particular policy position that was contrary to
[25] anything you had been thinking or within the Republican

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[1] party?
[2] Mr. Barbour. Not as far as I could tell, and, Senator,
[3] I don't want to hold myself out to be a foreign policy
[4] expert, but as far as I could tell, it's the pretty standard
[5] policy of both parties that we've had since the—since the
[6] nationalist Chinese fled the Mainland at Taiwan in the
[7] 1940's. We recognized that there is one China with two
[8] governments.
[9] Senator Brownback. Now, you also, I believe,
[10] introduced Mr. Young to—it was then-Speaker-Elect Gingrich
[11] and Senator Dole. Is that correct?
[12] Mr. Barbour. I believe probably that Speaker Gingrich
[13] was Speaker by then. I think there is a letter that talks
[14] about him being Speaker. I think he was probably already
[15] Speaker.
[16] Senator Brownback. Were you at those meetings?
[17] Mr. Barbour. Yes, sir. I was at both of them.
[18] Senator Brownback. Could you tell us what was
[19] discussed at those meetings, as best as you can remember?
[20] Mr. Barbour. They were courtesy calls, casual. You
[21] have been in the leader's office on the Senate side. You
[22] know the waiting room out in front—
[23] Senator Brownback. Yes.
[24] Mr. Barbour. —with the fireplace where people are
[25] kind of going back and forth? That's where Senator Dole and

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[1] Mr. Young and I and a couple others sat down.
[2] What was going on in Asia, China, Hong Kong—I
[3] particularly recall asking him about Hong Kong and what he
[4] thought. I am told, though I don't know if it's true or
[5] not, somebody told me that Mr. Young told the minority
[6] counsel that he didn't know if Mr. Gingrich was listening
[7] because, two days after the speech—after the meeting, Mr.
[8] Gingrich went out and made a speech and said everything just
[9] the opposite of what Mr. Young had said.
[10] It was just—it was—I don't want to minimize it, but
[11] it was a courtesy call.
[12] Senator Brownback. Were there specific policy issues
[13] discussed at either or both of those meetings?
[14] Mr. Barbour. Nothing other than what's happening in
[15] Asia, you know, Senator Dole and Speaker Gingrich, what's
[16] going on, what's going to happen when Hong Kong goes back to
[17] the PRC.
[18] Senator Brownback. Now, Mr. Young, though, must have
[19] been articulating a particular point of view or else he
[20] would not have noted the Speaker a couple of days later
[21] going counter to his point of view. What point of view was
[22] he articulating on our policy towards China or towards Hong
[23] Kong?
[24] Mr. Barbour. The only thing I know—and we've—since
[25] this started, I got somebody to go back and read the

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[1] articles again that knows more about it than I—just
[2] typically that there is one China which has been the policy
[3] of our Government, that we ought to engage China, which was
[4] the policy of the Clinton administration and the Bush
[5] administration, past administration, that we ought to have
[6] trade.
[7] I don't know what he's talking about that Newt said
[8] something different. I just remember it because I thought
[9] it was funny when somebody—somebody told me that Mr. Young
[10] had said that Newt did something totally different.
[11] As far as the effect is concerned, Senator?
[12] Senator Brownback. Yes.
[13] Mr. Barbour. If you look at the Republican Party's
[14] platform on these, on China, it's almost exactly what it was
[15] in 1992, again in 1996.
[16] If you look at our book, "Agenda for America," the
[17] views that are in there are the policies that Republicans in
[18] Congress have voted for, U.N. membership for the Republic of
[19] China, for Taiwan, which about 90 percent of our members of
[20] the House voted for, to maintain the Taiwan Relations Act
[21] and the commitment of the United States, and, Senator, I
[22] want to say, I don't think these are Republican policies. I
[23] think the Democratic members and the Democratic
[24] administrations have essentially taken the same policies.
[25] Senator Brownback. Did Mr. Young articulate any point

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[1] of view that you can recall that specifically would have
[2] helped Young Brothers Development either in this country or
[3] in China or Hong Kong, anywhere—or Taiwan?
[4] Mr. Barbour. He never said anything to me or in front
[5] of me about his company's business or businesses or his
[6] companies' businesses or business, ever.
[7] Senator Brownback. Did he say anything to Speaker
[8] Gingrich or Majority Leader Dole?
[9] Mr. Barbour. No, sir. I was there. No, sir, he did
[10] not.
[11] Senator Brownback. So these were general discussions,
[12] but generally about foreign policy in particular—
[13] Mr. Barbour. About Asia.
[14] Senator Brownback. —on Asia.
[15] Mr. Barbour. About what was going on in Asia, China,
[16] Hong Kong, where he lives.
[17] Senator Brownback. Let me take you, because my time
[18] gets short, as everybody's here, and it should be—
[19] Mr. Barbour. Well, I apologize. I'll try not to talk
[20] as much.
[21] Senator Brownback. No, that is all right, but taking
[22] you to a broader picture, because you have had a great deal
[23] of experience politically in this Nation and have traveled
[24] overseas, a number of foreign entities, be they corporations
[25] or governments, have a great deal of interest at what

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[1] happens in U.S. electoral politics. Isn't that correct?
[2] Mr. Barbour. Well, sure. America is the leader of the
[3] world.
[4] Senator Brownback. So they look here and they watch.
[5] Our trade policy is very important to them. Our defense
[6] policy is extraordinarily important to them, a recognition
[7] of nations, most-favored-nation status. These are very
[8] important policy issues.
[9] Mr. Barbour. Yes, sir.
[10] Senator Brownback. So they follow those closely.
[11] Do you know in any of your experience or background of
[12] any systematic effort by a foreign entity, be it a
[13] government or a corporation, to try to influence U.S. policy
[14] and change that policy?
[15] Mr. Barbour. Senator, if you talk about campaigns,
[16] this election, 1996, is the first time since I've been
[17] involved in politics in the 1960's that I have ever heard it
[18] even discussed, the possibility that some foreign government
[19] was trying to affect U.S. elections, the first time ever.
[20] If you mean policy, you know, I have an article here, a
[21] note about an article, the Japan Foundation, in 1991, gave
[22] \$5.5 million in grants to a number of American think tanks,
[23] the Brookings Institution, the Aspen Institute. Senator
[24] Bennett asked specifically about them. Well, they both got
[25] a million-and-a-quarter each from the Japan Foundation,

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(1) which is perfectly legal, but I think, clearly, that the
(2) think tanks do get a lot of support from foreign entities.
(3) Like I say, this is--
(4) Senator Brownback. This is perfectly legal, but--
(5) Mr. Barbour. --a New York Times article.
(6) Senator Brownback. --funded there. What about foreign
(7) corporations directly trying to influence U.S. politics?
(8) Mr. Barbour. Senator, it's just foreign to my
(9) experience.
(10) Now, you see U.S. companies, employees who have PACs.
(11) You know, in Senator Thompson's home State of Tennessee, you
(12) have got a big Japanese car manufacturer there, with
(13) American employees, and they got a PAC, and you also see
(14) American subsidiaries of foreign companies which operate in
(15) the United States and are treated under law just like
(16) American companies, which they ought to be.
(17) I think about Shell Oil Company. I don't think about
(18) it being a Dutch company, but when you really look into it,
(19) it's a subsidiary of a Dutch company. Well, they are
(20) treated just like American companies if they have got big
(21) U.S.--or if they've got U.S. subsidiaries, but foreign
(22) companies, countries, no, sir. I have never heard of any of
(23) that until this last election.
(24) Senator Brownback. It seems to me that the interesting
(25) point here, as we go into more of a global economy, and that

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(1) has been increasing at a rapid speed, and you have our large
(2) Nation--it is the largest, the lone super power that is
(3) left, largest economy in the world--that you are going to
(4) get increasing attempts by trans-national companies,
(5) entities, to try to influence that, and that is what I am
(6) trying to hear, and I appreciate your talking about this,
(7) but I hope that in the future, if you see things that we
(8) should do in the best U.S. interest to stop or to make this
(9) more visible, I hope you will be willing to share it with
(10) the Committee.
(11) Thank you, Mr. Chairman.
(12) Chairman Thompson. Thank you, Senator Brownback.
(13) Senator Lieberman?
(14) Senator Lieberman. Thank you, Mr. Chairman.
(15) Mr. Barbour, thank you.
(16) Mr. Barbour, I want to begin by thanking you for one
(17) thing that you had done this afternoon. You know, some
(18) people have said these hearings have been too partisan, but
(19) you have broken through that today with the generous
(20) recognition and implicit praise you have given to the
(21) Democratic Leadership Council, and I want to thank you from
(22) the bottom of my heart for that.
(23) Mr. Barbour. As you know, Senator, I am a DLC fan, and
(24) I think--I do think what the Democratic Leadership Council
(25) has done for your party is very worthwhile, and I didn't

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(1) mean to burn \$2.5 million trying to do it for the
(2) Republicans, but that was the idea.
(3) Senator Lieberman. Haley, if you keep this up, we may
(4) put you on our mailing list.
(5) Obviously, there are ways in which the DNC and the NPF
(6) are alike, insofar as they are both policy organizations
(7) that are composed largely of members of a single party, but
(8) I do think it is important to say, very briefly, that while
(9) the Republican National Committee created the NPF, which was
(10) perfectly appropriate, as you will recall, the Democratic
(11) Leadership Council was created by people who were not happy
(12) with the Democratic National Committee, and the DLC has
(13) never received any money either directly or through loans or
(14) through collateral from the Democratic National Committee,
(15) nor has it, to the best of my knowledge, ever raised foreign
(16) money, and it did receive its 501(c)(4) in the time of the
(17) Reagan administration, I might point out.
(18) So, anyway, there are some similarities, but there are
(19) some differences, and in fairness to the organization, I
(20) wanted to point that out.
(21) One small question, and it is part of why the closeness
(22) between these two organizations continues to perplex us.
(23) Minority Exhibit 385 is a letter dated June 25, 1996, from
(24) Jeffrey Knollf, director of Personnel at the RNC, to John
(25) Bolton at the National Policy Forum, in which Mr. Knollf

(1) seems to be saying to Mr. Bolton that it is his
(2) understanding that the National Policy Forum has never
(3) retained an insurance broker in order to obtain policies
(4) separate from the RNC's Cigna policies. I do want to thank
(5) you for unplying a Connecticut company there at the RNC, but
(6) here is a case where it appears from this letter that
(7) employees of the NPF are covered on the same insurance
(8) policy as the employees of the RNC.
(9) Now, that does not mean you do not have a separate
(10) corporate status, but you can see why--I can tell you that
(11) the DLC employees have never been covered by the insurance
(12) policy of the DNC, and that is why this perplexes us.
(13) Let me ask a different kind of a question. Generally
(14) speaking, can you tell us what the annual budget of the
(15) National Policy Forum was, the average annual budget?
(16) Mr. Barbour. Senator, there have been about \$8 million
(17) over 3-1/2 years. The pattern of spending was not uniform.
(18) Mike Baroody talked about, and Fred Volcansek talked about,
(19) the real need for money in the first half of 1995.
(20) Senator Lieberman. Right.
(21) Mr. Barbour. Well, we had 60 public forums in the
(22) first half of 1995, and there was a lot of money spent on
(23) that. Some periods, there would be a lot less money spent.
(24) Senator Lieberman. It was a total of \$8 million over
(25) the 4 years?

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(1) Mr. Barbour. Something in excess of \$8 million.
(2) Senator Lieberman. Here is my question, which may not
(3) be directly related to the purposes of our inquiry today,
(4) but it fascinates me. In your opening statement, you
(5) indicated that you had raised--or that \$330 million had been
(6) raised for the Republican National Committee during the time
(7) that you were chairman, which is an extraordinary
(8) accomplishment. Why were you and the others having trouble
(9) raising the \$8 million over 4 years for the NPF?
(10) I suppose in some sense, it should encourage Democrats
(11) that Republicans do not always succeed raising money, but it
(12) is puzzling to me, and I wonder if you can explain why that
(13) is so. A much smaller budget? It seems like a good idea?
(14) Mr. Barbour. Well, Senator, you know, I certainly
(15) thought so at the time, and we had watched what the DLC had
(16) done in terms of raising money, and I am not poking fun at
(17) you.
(18) A lot of our lists--you all had had some sort of
(19) inaugural event where you listed a bunch of sponsors to the
(20) DLC. That was our original list for people to give to the
(21) National Policy Forum.
(22) Senator Lieberman. Another form of--another piece of
(23) flattery.
(24) Mr. Barbour. Yeah, but the problem was, for some
(25) reason, in the middle of 1995, people got--I think largely

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(1) because the labor unions were spending so much money on
(2) political advertising.
(3) Senator Lieberman. Yes.
(4) Mr. Barbour. Corporations that we thought were going
(5) to be interested all the way through lost interest. They
(6) started giving money like the BRT. You remember the BRT had
(7) a big campaign for the balanced budget--
(8) Senator Lieberman. Right.
(9) Mr. Barbour. --and they raised about \$5 million in a
(10) couple of months, and there was just a lot more--there were
(11) a lot of people out there who were just doing better raising
(12) the money than we were.
(13) The Forum raised well in excess--probably close to \$6
(14) million.
(15) Senator Lieberman. Right.
(16) Mr. Barbour. Certainly well over 5.
(17) Senator Lieberman. I am astounded. Were you--
(18) Mr. Barbour. And it's just--
(19) Senator Lieberman. Yes.
(20) Mr. Barbour. --at the end, people, because of the
(21) environment that we thought would be good donors, said that
(22) they would rather give their money for something else.
(23) Senator Lieberman. To one of the other organizations,
(24) okay.
(25) Let me present to you a question that I presented this

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(1) morning as well, and just briefly go over some of the
(2) testimony. We heard earlier today testimony about
(3) conversations that Mr. Volcansek had with Mr. Fierce, who I
(4) guess was your counsel, and as he described, confidant, and
(5) Dan Denning in 1994 about the pressure that Denning was
(6) under to raise money for the NPF, and discussing possible
(7) sources. Then, the conclusion is reached, with Fierce,
(8) according to Volcansek, coming up with the idea of focussing
(9) on foreign contributors to the NPF, they then go over a list
(10) that Volcansek has, and they target the Young family.
(11) Now, I accept that the law is that a foreign company or
(12) individual can give to a 501(c)(4), which you had hoped the
(13) NPF would be, but my question was really a more practical
(14) political one, which is why they would decide--and here, you
(15) have got Mr. Fierce who is close to you--decide to go for
(16) foreign money for an American political party-affiliated
(17) think tank, and my suggestion this morning--and I want to be
(18) real explicit with you and let you react to it--is that the
(19) reason to do it is that a foreign contributor could not give
(20) directly to a political party.
(21) Let me put it another way. NPF is running a deficit.
(22) You have got over \$2 million of RNC money tied up in the
(23) NPF. You obviously want to get it out of there. You have
(24) got the 1994 elections coming up. There is nothing evil
(25) about this, but the problem is, if you have got an American

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(1) contributor willing to put up a couple million dollars or
(2) even put up just collateral, you would rather have that
(3) person give the money directly to the RNC or the RNSEC or
(4) whatever. Whereas, if you get the money from a foreign
(5) contributor, in a sense, it is fresh money. It is not money
(6) that could otherwise go to the political parties. Am I
(7) right about that?
(8) Mr. Barbour. Senator, I take your point. Where that
(9) falls down in this case--
(10) Senator Lieberman. Go ahead.
(11) Mr. Barbour. --is Young Brothers Development (USA) was
(12) an RNC contributor. That was one of the reasons that when
(13) they met with me--and I wasn't involved in these
(14) conversations that you are describing--and they said we
(15) think this is the right organization to try to go get the
(16) loan guarantee from--they were RNC donors.
(17) It turns out that 3 years later, the RNC found out,
(18) which is when I found out, that they weren't eligible, that
(19) they were contributing money from the Florida company that
(20) had been loaned to it by the Hong Kong company, but at the
(21) time this decision was made, I thought that Young Brothers
(22) Development (USA) could be because it was giving money.
(23) Senator Lieberman. Right.
(24) Mr. Barbour. So that is where the analogy would fall
(25) down there, Senator.

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(1) Senator Lieberman. I hear you, but let me just say
(2) that this is where I have--it is hard for me to accept, and
(3) I hear you and I know you are under oath and all that--that
(4) you did not know that this money was raised and coming from
(5) Hong Kong. As we go back over this, we have got Mr. Fierce
(6) making a suggestion that NPF look for foreign money. We
(7) have got Mr. Baroody saying to us yesterday that he felt
(8) that you were fascinated with the idea of raising foreign
(9) money for the NPF from before--from before he actually came
(10) to work for it.
(11) We have got Mr. Volcansek's memos to Mr. Richards, that
(12) is, talking points for you, which I know you have said you
(13) have not seen, Mr. Richards talking about the money and the
(14) relationship to the campaign.
(15) So I am puzzled, with all respect and affection, which
(16) I have for you, that you never--that you did not know that
(17) this money was going to come. My God, you went to Hong Kong
(18) to see Mr. Young, and I am just surprised that you did not
(19) know at any point in this, and again, it is legal, that the
(20) money was going to come from Hong Kong to the YBD (USA).
(21) Mr. Barbour. Senator, I appreciate this statement of
(22) affection, which you know is mutual, and the respect that I
(23) have for you, and the fact of the matter is, you are a
(24) former attorney general, and you know for me, it would be
(25) easier to say, hey, I knew all along, it was legal, it

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(1) didn't make any difference.
(2) The problem with that is I didn't, and if Fred brought
(3) it up in a meeting, I know Fred is saying what he thinks is
(4) true. I don't remember him doing that. I understand
(5) Denning says it in his deposition, but the fact of the
(6) matter is you are right. It was irrelevant, the whole time.
(7) Maybe that is why it just never caught my attention if
(8) different people, in fact, really did bring it up, but the
(9) fact of the matter is, it was legal either way, version A,
(10) version B. It happens that version A is what I truly
(11) remember and what I got to tell you is the truth, and I knew
(12) Mr. Young was the head of the family, and I knew that the
(13) family lived in Hong Kong, and the boys, the sons, the Young
(14) Brothers, I assumed, were all Americans, that their mama was
(15) an American, and it didn't--you know, this is somebody that
(16) had been giving to the RNC.
(17) So I just had to tell you like I remember it, and like
(18) I said, it would be easier to tell it another way, but it is
(19) just the truth.
(20) Senator Lieberman. My time is up. Thanks, Mr.
(21) Barbour.
(22) Chairman Thompson. Thank you, Senator Lieberman.
(23) Senator Cochran?
(24) Senator Cochran. Thank you, Mr. Chairman.
(25) This morning's newspaper had articles, two examples

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(1) about what the testimony had been yesterday in the hearings
(2) and the central part of the case that was before the
(3) Committee. The Washington Post, for example, has as its
(4) subhead on its article, on page 86, path of \$1.6 million
(5) from Hong Kong firm is traced through GOP policy forum to
(6) RNC, and then in our Mississippi daily paper, the Clarion
(7) Ledger in Jackson, they carry an AP story on the front page
(8) that has as its lead, Democrats built a case Wednesday that
(9) former Republican Party Chairman Haley Barbour used a
(10) nonprofit group to funnel money from Hong Kong to GOP
(11) elections.
(12) If I understood your testimony correctly, as
(13) illustrated by this chart, the Republican National Committee
(14) never benefitted from the repayment or the partial payment
(15) of a loan to the National Policy Forum by anybody on the eve
(16) of the elections. Is that correct, or did I misunderstand
(17) you?
(18) Mr. Barbour. Senator, the National Policy Forum's
(19) repayment made no difference whatsoever in what the RNC did,
(20) and the records of the time show plainly none of this money
(21) went to congressional candidates, as was alleged, went into
(22) our late television advertising blitz which was alleged,
(23) went to pay for the Contract With America which was alleged.
(24) The records are very plain. None of those things is true.
(25) but we did get back 1.6 million of the 2-point-something we

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(1) had loaned, and we wanted to get it back, but it made no
(2) difference in what we did. No, sir.
(3) Senator Cochran. None of the funds, none of the
(4) proceeds from the guarantee of the loan or any repayment of
(5) loan funds to the RNC were used in the elections?
(6) Mr. Barbour. None of these funds could be used in the
(7) Federal side, and on the non-Federal side, as the charts you
(8) had--and it is not up on the screen--we had millions--I
(9) don't want this to sound the wrong way, but we literally had
(10) more than \$3 million over and above what we spent, available
(11) to spend, if we had never got any of that 1.6 back. That is
(12) why I say it is correct to say that none of this money was
(13) used. If we hadn't have had it, you couldn't have told the
(14) difference.
(15) Senator Cochran. So the stories that I quoted from,
(16) the AP story particularly that is reflected on the front
(17) page of the Clarion Ledger, is just not accurate. Is that
(18) right?
(19) Mr. Barbour. That is not accurate, as you read it.
(20) Senator.
(21) Senator Cochran. And the same is true of the subhead
(22) in the Washington Post in this morning's paper?
(23) Mr. Barbour. If it said it went into the Federal
(24) elections or into the elections, it is not true.
(25) Senator Cochran. Let me ask you a question or two

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[1] about this tax-exempt status business. Much has been made
[2] over the fact that the IRS refused to recognize the National
[3] Policy Forum as a tax-exempt organization. What were the
[4] consequences of that, as a practical matter? Did anybody
[5] claim a tax deduction for a contribution to the Forum that
[6] was then made, an illegal claim? Could you explain that for
[7] us?

[8] Mr. Barbour. Senator, there were no tax consequences
[9] whatsoever. Donors to the National Policy Forum were not
[10] allowed to deduct their contributions from their taxes.

[11] The status that we operated under, 501(c)(4), does not
[12] allow donors to deduct the contributions like the church
[13] does or like a charity does. So there was no deductibility
[14] for the donors, and the National Policy Forum was a
[15] nonprofit. It was a nonprofit with a vengeance, Senator.
[16] There was no year in which the National Policy Forum
[17] would have had any tax liability, regardless of its tax
[18] status.

[19] Finally, the tax status has nothing to do with whether
[20] you are subject to the Fair Election Campaign Act and have
[21] to file FEC reports and abide by their rules. That has
[22] nothing to do with it.

[23] The only thing that decides that is do you advocate the
[24] election or defeat a candidate to public office. Any
[25] nonprofit, (c)(3), (c)(4), whatever, none of the above, as

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[1] long as it doesn't do election activity, then it doesn't
[2] file anything. So there is no consequence of any of that in
[3] any of those ways.

[4] Senator Cochran. During the time the Forum was
[5] operating, you were required to file, however, an annual tax
[6] return showing what your income was and your expenses were,
[7] and did the Forum do that and comply with the IRS
[8] regulations?

[9] Mr. Barbour. Senator Cochran, yes, sir. The National
[10] Policy Forum filed for 1993, again in 1994, again in 1995.
[11] The form for the 501(c)(4) organization, which as I
[12] mentioned earlier was the instruction the IRS gave us—that
[13] is what you do, file as a (c)(4). We have not filed for
[14] 1996, and the principal reason is all our records are here
[15] right now, and so Arthur Andersen that does the audit—and
[16] did I mention, Senator, we have given the Committee those
[17] tax returns. We have given the Committee the audits, but
[18] Arthur Andersen can't do our tax return because we have to
[19] wait until we get through with this to get the stuff back.

[20] Senator Cochran. My friend, Senator Lieberman,
[21] mentioned some of the differences between the Democratic
[22] Leadership Council and the Republican Policy Forum, and I
[23] think if I heard correctly, one of the differences is that
[24] the Democratic Leadership Council had a PAC that they made
[25] contributions to candidates and election campaigns, and the

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[1] Republican Policy Forum never did that. Is that correct?

[2] Mr. Barbour. The National Policy Forum does not have a
[3] PAC, never has made a PAC—had a PAC, and never has
[4] contributed to a PAC.

[5] Senator Cochran. My information, too, is that most of
[6] those who were active in the DLC were elected Democratic
[7] officials. Isn't that correct? And most of those who took
[8] an active part in the Republican Policy Forum included
[9] those—most people were not elected officials, Republican
[10] officials. Is that correct?

[11] Mr. Barbour. By design, Senator, we were trying at the
[12] National Policy Forum to have a grassroots bottom-up, and so
[13] one of the rules of thumb is no policy council could be as
[14] many as half elected officials or as many as half from
[15] Washington, D.C., and the vast majority weren't elected
[16] officials. The vast majority weren't from here in
[17] Washington. That's correct.

[18] Senator Cochran. Do you have any idea why the IRS
[19] would have concluded that the DLC was not involved in
[20] politics to the extent that it should be granted, could be
[21] granted tax-exempt status, and the same IRS concluded that
[22] the Republican Policy Forum was too political?

[23] Mr. Barbour. Senator Cochran, Senator Lieberman
[24] mentioned that the Democratic Leadership Council was granted
[25] its status during the Reagan administration, and from all I

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[1] know about the Democratic Leadership Council, it should have
[2] been granted status.

[3] As Mike Baroody said early on, he told me, beware of
[4] the IRS under the Clinton administration, and I have noticed
[5] that Senator Roth and Senator Moynihan, that Chairman Archer
[6] and Congressman Rangel have jointly written a letter to the
[7] IRS, asking for a report on the questions of why
[8] conservative groups and the 501(c)(3) and (c)(4)
[9] organizations are being singled out for sanctions, for
[10] audits, for trouble, and that no liberal groups—and,
[11] Senator, I cannot tell you that I know as a fact that it is
[12] because we are a Republican-oriented organization, but I can
[13] tell you that National Policy Forum is less partisan and
[14] less election-oriented than the Democratic Leadership
[15] Council, and my belief is the Democratic Leadership Council
[16] complies, but that the National Policy Forum did not get
[17] approved after nearly 4 years because the Clinton
[18] administration didn't let it happen. That's my view. I
[19] can't prove it.

[20] Senator Cochran. I have no further questions, Mr.
[21] Chairman.

[22] Chairman Thompson. All right. Thank you, Senator
[23] Cochran.

[24] Senator Lieberman. Mr. Chairman, can I just for 30
[25] seconds on a point of procedure—

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[1] Chairman Thompson. I thought you might. Go ahead.
[2] Senator Lieberman. I just wanted to state for the
[3] record that the DLC does not have a PAC and has never
[4] contributed to political candidates, just for the record.
[5] Thank you.

[6] Mr. Barbour. Senator, may I say one thing about that?
[7] I think it is an important point that Senator Cochran and
[8] Senator Lieberman made.

[9] This last year, Senator Lieberman announced the
[10] formation of the new Democrat network, which is a PAC, and
[11] the press reported, and lots of people said, well, it's part
[12] of the DLC. Well, it's not part of the DLC.
[13] Senator Lieberman and Senator Breaux, who are leaders
[14] of the DLC, announced it. The executive director works for
[15] the DLC.

[16] Senator Lieberman. No more.

[17] Mr. Barbour. He's a DLC employee.

[18] Senator Lieberman. Well, no.

[19] Mr. Barbour. But to me, it makes—

[20] Senator Lieberman. He left the DLC.

[21] Mr. Barbour. I'm sorry. He's a former DLC employee.

[22] It just simply makes the point, Senator Cochran, that there
[23] are a lot of organizations with overlapping leadership that
[24] share resources, that work together, that are separate. I
[25] accept what Senator Lieberman says that the new Democrat

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[1] network is not the DLC's PAC, though you sure couldn't tell
[2] it from reading the newspaper that it is not the DLC's PAC.
[3] Chairman Thompson. All right, sir.

[4] Senator Akaka?

[5] Senator Akaka. Thank you very much.

[6] Mr. Barbour, as former chairman of the RNC and NPF, you
[7] wore two hats.

[8] Mr. Barbour. Yes, Senator Akaka.

[9] Senator Akaka. And these were about the same times in
[10] either organization. We have had testimony from Mr.
[11] Baroody, former president of NPF, and Scott Reed, the
[12] executive director of RNC, that the lines between RNC and
[13] NPF were blurred, at best, and I think this is a problem
[14] that I am having, and I am sure my colleagues are having.
[15] Why do you believe that Mr. Baroody and Mr. Reed had
[16] such concerns?

[17] Mr. Barbour. Senator Akaka. I had no concerns that
[18] there was ever any crossing the line, and I don't think Mr.
[19] Baroody or Mr. Reed ever thought the line was crossed, but
[20] there was a relationship.

[21] The RNC loaned money to the National Policy Forum and
[22] became its creditor, and very honestly, Senator Akaka, the
[23] RNC became a much larger creditor than it ever intended to
[24] or thought it was going to, and as money was borrowed by the
[25] National Policy Forum in that first year, late 1993, early

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(1) 1994, then the RNC became concerned about getting its money
(2) back.
(3) So you had the tension, is how I would put it, between
(4) the creditor and the debtor about Scott Reed always
(5) wanted-you all do stuff, do stuff, do stuff, so you all can
(6) raise money, and Mike Baroody is very deliberate, very
(7) thoughtful, a true intellectual with a very different pace.
(8) The other thing that I think led to the tension is I
(9) traveled a lot, and I didn't have an office at the National
(10) Policy Forum. I never tried to-you know, I was not running
(11) the National Policy Forum on a day-to-day basis. Mike did,
(12) but lots of times, he would need information or want
(13) something, and he would have to go through Scott or go
(14) through somebody else who worked at the RNC because that is
(15) how he found me. I mean, the RNC was sort of my day job,
(16) and the National Policy Forum, I was not nearly as involved
(17) in. I think that rubbed-that that rubbed wrong, but I have
(18) total confidence that there was never any time when the
(19) separateness of the organizations, organizationally,
(20) functionally, managerially, operationally, ever merged.
(21) Senator Akaka. Between the founding of NPF in 1993,
(22) June, and 10 months later, you did some fund-raising at NPF,
(23) and that was about April of 1994, fund-raising did not go as
(24) expected, as I understood, and it was at that time that Mr.
(25) Volcansek began to look for a way to let the NPF repay its

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(1) loans to the RNC and the RNSEC. Is that correct?
(2) Mr. Barbour. Yes, sir. The RNSEC, Senator Akaka, is
(3) simply the State or non-Federal component of the RNC. It is
(4) the way the FEC has you set up your accounts, if you will.
(5) The RNSEC is our non-Federal account, and the RNC did want
(6) the National Policy Forum to pay back what it had borrowed
(7) out of that State or non-Federal account.
(8) Senator Akaka. Since NPF was operating primarily on
(9) borrowed funds from the RNC, what was the effect on the
(10) fiscal health of the Republican National State Elections
(11) Committee?
(12) Senator Akaka. If I might say, Senator Akaka, over the
(13) period of time, the National Policy Forum spent about \$8
(14) million and raised well over 5, maybe 6. So it is not
(15) really quite accurate to say that it was principally run on
(16) borrowed money, but like a lot of businesses, it was more
(17) borrowed money than I'd have liked, but the effect on the
(18) RNSEC, the State account, as we showed-I'm sorry. I didn't
(19) mean to turn my back to you, but, you know, we had a chart
(20) up here a while ago that shows that the funds available to
(21) the RNSEC at the time of an subsequent to the partial loan
(22) repayment by NPF was very healthy-very healthy.
(23) Senator Akaka. Did you as chairman of RNC feel that
(24) without an infusion of soft money to the RNSEC, the
(25) opportunity for a major Republican victory in November of

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(1) 1994 would be lost?
(2) Mr. Barbour. Senator, as I said, I think they got the
(3) chart up, and you can see the availability of funds.
(4) I said in my testimony earlier, and I am not sure
(5) anybody latched on to it, it was really the National Policy
(6) Forum that needed to repay more than the RNC needed the
(7) money. The RNC wanted the money, but the board of the
(8) National Policy Forum in June had raised the concern in the
(9) board meeting about too much debt, too fast, and it actually
(10) limited borrowing by the National Policy Forum, and the
(11) National Policy Forum, I feared, and I know Dan Dennyung
(12) feared, and Mike was sort of leaving at this time, but I'm
(13) sure he shared the concern because, even though he's
(14) leaving, he cared about-he cared about things being
(15) right-the problem that NPF had was that they were going to
(16) end up with no source of credit; that the RNC could not just
(17) be an open checkbook, you know, that they were lending money
(18) thinking that they would get paid back, and ultimately, that
(19) was going to not be defensible anymore.
(20) If I had had to run for reelection in January of 1995
(21) as chairman of the RNC and said, oh, by the way, the
(22) National Policy Forum owes us \$2.5 million and hadn't paid
(23) any back, I would not have liked to have had to run on that
(24) campaign in January, but it was really the NPF knew that at
(25) some point, you could no longer justify, unless this was

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(1) restructured and some of the money paid back, preferably
(2) all.
(3) Senator Akaka. You may not see the coincidence between
(4) the \$2.1 million loaned from Mr. Young and the vast infusion
(5) of money into the RNSEC. I do see that. Then the \$2.1
(6) million loan whose funds were not made available to the RNC
(7) until October 20 allowed the RNSEC to transfer-and in this
(8) case, \$56,600 to the Hawaii Republican Party on October 25
(9) and October 26. How do you explain this quick turn-around
(10) of money just days before the national election?
(11) Mr. Barbour. Senator Akaka, if I could make two
(12) points. One is the loan that you described was made by the
(13) Signet Bank, which is a local bank. It was guaranteed by
(14) Young Brothers Development (USA), which is a Florida
(15) corporation, and not by Mr. Young personally. I just want
(16) to note that.
(17) But, first of all, the RNC had the funds available if
(18) this had not been done to do every penny that was done to-
(19) that was put out. The plan that was written was written
(20) long before October the 20th. The goal of the national
(21) committee, of the RNC, was that we wanted to put money into
(22) campaigns late. In Federal campaigns not one penny of this
(23) money could come out of this legally, much less as a
(24) practical matter, legally they didn't. So we held our fire
(25) until late because historically Republican candidates have a

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(1) tendency to overspend early and run out of money. And so
(2) what we tried to do for our candidates, all this Federal
(3) money, not one penny of which has anything to do with what
(4) we're talking about, it's all totally separate, we turned
(5) that money loose late because that had been our plan since-
(6) for months and months and months.
(7) Senator Akaka. Mr. Chairman, I want to yield the rest
(8) of my time to Senator Glenn.
(9) Chairman Thompson. Senator Glenn?
(10) Senator Glenn. My light is on there. I will reserve
(11) the time.
(12) Chairman Thompson. All right. Then we will go to
(13) Senator Nickles.
(14) Senator Nickles. Mr. Chairman, thank you very much.
(15) And, Mr. Barbour, thank you for testifying. And we are glad
(16) that you are here. I think there is a contrast. In fact,
(17) did you leave the country for a year and then decide to come
(18) back? Did the Committee drag you back?
(19) Mr. Barbour. No, sir, Senator. I am glad to be here,
(20) and I am honest-I tell you honestly, after the last couple
(21) weeks of things that were said that were baseless and
(22) totally untrue, I was eager, chomping at the bit to have a
(23) chance to testify.
(24) Senator Nickles. Are you testifying under immunity?
(25) Did you and your attorney negotiate immunity and-did you

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(1) get partial immunity or total immunity or-
(2) Mr. Barbour. No, Senator. I am not-I don't have any
(3) immunity. I didn't even get a tetanus shot.
(4) [Laughter.]
(5) Senator Nickles. You might need one.
(6) Well, I just appreciate that. I missed one of the
(7) immunity hearings. I didn't know if maybe you were
(8) requesting that. I make light of that, but I do appreciate
(9) your cooperation. I think that speaks well for you.
(10) Let me ask you a question. A lot of people alluded to
(11) the fact of the National Policy Forum. I was on that board.
(12) Did this group launder money?
(13) Mr. Barbour. No, sir.
(14) Senator Nickles. Did this group break the law?
(15) Mr. Barbour. No, sir.
(16) Senator Nickles. I would like to know if they did, and
(17) I have heard allusions to that effect.
(18) This group, at least as far as I know, was really
(19) engaged in trying to have a lot of policy forums, public
(20) forums, a lot of public involvement. I am going to ask
(21) staff if they would put one of these grassroots level public
(22) forums up. Do you have that? Just to make mention of that.
(23) I see dots all across the country. There is one in
(24) Oklahoma, and I will ask them if they would put up a little
(25) sheet that we have in Oklahoma. This is not in everybody's

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(1) record, but it is one that we--this is a public forum. No.
(2) if you would hold up the one on education, to back up.
(3) But this is one, the only I participated in across the
(4) country, at least in my State, this is one dealing with how
(5) we get at-risk kids, kids that were falling out of school,
(6) dropping out of school that were in trouble, possibly going
(7) to jail or really their lives were heading in the wrong
(8) direction. It was kind of a deal in conjunction with the
(9) National Guard's academy where they put the kinds kind of in
(10) a boot camp. And it worked. These were really kids--and
(11) so--and I notice--I glanced in your book, "Listening to
(12) America." I know you spent a lot of money. You lost a lot
(13) of money, frankly.

(14) Mr. Barbour. Yes, sir.

(15) Senator Nickles. Publishing different things. This is
(16) a book, "Listening to America," that I guess compiled this.
(17) And I just glanced at it. It had maybe two or three
(18) paragraphs on these boot camps for kids, at-risk kids,
(19) troubled kids.

(20) Then I notice you have a lot of pages on a lot of
(21) different issues, but this was really substance. This is
(22) meat and potatoes on how we can make life in America better.
(23) And that is the reason why I held up that first chart where
(24) it shows you had these hearings all across the country.
(25) This is not a frivolous--you know, some people have alleged

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(1) that this is a group that was engaged in money laundering
(2) and foreign sources and stuff, and I think that is hogwash.
(3) Mr. Barbour. Well, Senator, it is--I mean, if you were
(4) doing that, you'd set up a boiler room with three telephones
(5) and a post office box. This was a very serious and I think
(6) very high quality--and I appreciate your saying what you
(7) said--effort to allow people to voice. If they'd put that
(8) prior Oklahoma thing back up on the screen, what I was going
(9) to explain to the viewers, unless I'm mistaken, this was a
(10) newspaper ad, a copy of a newspaper ad that was run in the
(11) local paper to invite the public to attend. That is what
(12) this deal would be for. And every time we'd have a forum,
(13) we would invite the public to attend with an ad like this,
(14) and as you know--and I think some others attended--there was
(15) no vote for anybody, there was no campaign, there was no "we
(16) don't like Bill Clinton," there was no "kick the bums out."
(17) It was all to talk about this.

(18) And the subject you mentioned about the National Guard
(19) and the boot camps, very typically, a forum would be built
(20) around some local effort like that, that would be the sort
(21) of central building block of what we were doing. I wanted
(22) people to understand what that was. That is an ad to invite
(23) the public to come.

(24) Senator Nickles. Well, I mentioned that because I
(25) think you had that--I think it is evident that you had a lot

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(1) of this, plus you put out a magazine, I believe called
(2) Commonsense.

(3) Mr. Barbour. Yes.

(4) Senator Nickles. And that was on issues. Now,
(5) granted, most of these papers were written by Republicans.
(6) I will ask you a couple questions about losing the IRS--not
(7) deduction. You lost the IRS classification of (c)(4)
(8) organization: is that correct?

(9) Mr. Barbour. The IRS has not recognized the (c)(4)
(10) status.

(11) Senator Nickles. And they said basically the Policy
(12) Forum was too partisan?

(13) Mr. Barbour. That is essentially what they said, too
(14) Republican.

(15) Senator Nickles. Too Republican. I am concerned about
(16) that in comparing the Republican Policy Forum to the DLC.
(17) And I looked at the DLC, and I heard somebody say, well,
(18) they had the same chairman. But right now the policy--or
(19) the DLC chaired by my good friend, Senator Lieberman, but
(20) also, I think Mr. Romer is the vice chairman, he also
(21) happens to be chairman of the DNC, Democratic National
(22) Committee. In looking at all their leaders, they all happen
(23) to be Democrats, and that is fine, my point being it looks
(24) like it's very--it's a Democrat organization, it's a
(25) partisan organization. And I'm not saying they should lose

(1) their (c)(4) status either. But I look at the comparison.
(2) and it looks to me like the IRS--and I happen to be chairman
(3) of the Taxation Subcommittee in the Finance Committee, and
(4) it does look to me like this was not consistent in granting
(5) one to the DLC and not granting it to the Policy Forum.
(6) I am troubled by that. It looks like they are playing
(7) some type of ideological game here.
(8) Mr. Barbour. Senator, could I just respond to
(9) something you said? There is an Exhibit 10 that we have
(10) that makes your point from the Democrats' perspective, if it
(11) can be put up, what the DLC says about the DLC. Senator
(12) Lieberman: This is my vision for the DLC, building up the
(13) DLC as the intellectual center of the Democratic Party, one
(14) that will re-establish the Democratic Party as the American
(15) people's best hope for opportunity, upper mobility,
(16) civility, security.

(17) The DLC's own home page on the Internet, under the
(18) leadership of co-founded and president, Al From, the DLC is
(19) helping to rebuild a new Democratic majority.

(20) In fact, in the DLC's charter it says it's dedicated to
(21) building a Democratic majority. It's not too late, the DLC
(22) publication says, to join our effort to keep the Democrat
(23) Party from sliding into permanent minority status.

(24) Senator Robb, a former chairman, the DLC, we want some
(25) independence, but we definitely want this to be a joint

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(1) venture with the party, talking about the DLC.

(2) Al From, the president of the DLC--

(3) Senator Nickles. Let me interrupt you just a tad.

(4) Mr. Barbour. Yes, sir.

(5) Senator Nickles. I think what I am going to do is just
(6) for the information of our colleagues that have an interest
(7) in this, I am going to write the IRS a letter with these
(8) quotes in mind, and take quotes from their letter which
(9) denied (c)(4) status to the Policy Forum and see how that's
(10) consistent. Our tax policy and those who are granting
(11) status on (c)(4) or (c)(3) should be non-partisan. And it
(12) appears in this case they haven't been non-partisan, and I'm
(13) troubled by that, so just for my colleagues' information.

(14) Also, looking at the Progressive Policy Institute, and
(15) I notice that it has the same address and so on as the DLC.
(16) Now, this is a 501(c)(3).

(17) Mr. Barbour. That is my understanding, Senator.

(18) Senator Nickles. Now, correct me if I'm wrong, but the
(19) (c)(4) status that the Democratic Leadership Council and the
(20) Republican Policy Forum had, people did not get tax
(21) deductions by writing checks to those groups. Is that
(22) correct?

(23) Mr. Barbour. That's correct.

(24) Senator Nickles. They had to pay--contribute to those
(25) with after-tax collars. But a (c)(3) organization is a

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(1) charitable organization. Those are tax deductible: is that
(2) correct?

(3) Mr. Barbour. That's correct.

(4) Senator Nickles. And looking at the Progressive Policy
(5) Institute, its agenda looks like it is trying to move
(6) American policy to the more liberal type philosophy, and
(7) this is a tax-deductible organization.

(8) Senator Lieberman. Don't tell our contributors that.
(9) We are trying to move in the other direction.

(10) Senator Nickles. Now, the my point being, did you
(11) have a (c)(3)? Was there an organization in your group that
(12) somebody could get a tax deduction for contributing to? Did
(13) you have some think tank or something that was deductible on
(14) the Republican side?

(15) Mr. Barbour. No, sir. The National Policy Forum never
(16) sought (c)(3) status, and our donors never were able to have
(17) tax deductibility. We didn't think that that would be
(18) right.

(19) Senator Nickles. I understand. Now, is there a--I
(20) heard a couple different answers on whether or not there was
(21) a PAC run out of DLC, and I heard Senator Lieberman said
(22) there wasn't. But I'm looking at this address. Is there a
(23) political organization that makes campaign contributions
(24) using the same phones and same personnel?

(25) Mr. Barbour. Senator Lieberman will have to answer

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(1) that question, but Senator Lieberman--
(2) Senator Nickles. To your knowledge?
(3) Mr. Barbour. I do not know specifically, Senator. I
(4) just know that, like you, Senator Lieberman announced the
(5) formation of the new Democrat network and that the public--
(6) think the political community took it to be the DLC's PAC.
(7) But to me it makes the point that like-minded organizations
(8) can work together and that just because Senator Lieberman
(9) announced it doesn't it part of the DLC.
(10) Senator Nickles. I understand, and I am not saying
(11) that they did anything wrong. My point being is I think we
(12) need to have fairness and equity from the IRS, and I am not
(13) sure that it has happened in the case with the Policy Forum
(14) compared to the DLC. I appreciate your cooperation.
(15) Thank you, Mr. Chairman.
(16) Chairman Thompson. Thank you, Senator Nickles.
(17) Senator Durbin?
(18) Senator Durbin. Thanks, Mr. Chairman. Thank you, Mr.
(19) Barbour.
(20) Mr. Barbour. Thank you, Senator Durbin.
(21) Senator Durbin. Mr. Barbour, what is your opinion of
(22) an American citizen who would renounce his citizenship to
(23) avoid taxes?
(24) Mr. Barbour. I wouldn't do it.
(25) Senator Durbin. What is your opinion of someone who

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(1) would?
(2) Mr. Barbour. It would just simply depend on the
(3) circumstances. I wouldn't want to judge somebody without
(4) walking in their shoes. But I wouldn't do it.
(5) Senator Durbin. Well, I'm going to ask you to judge,
(6) because here we are talking about a man, Ambrous Young, who
(7) became a big benefactor to the Republican Party indirectly,
(8) to the National Policy Forum directly. And that's what he
(9) did. He renounced his U.S. citizenship, and according to a
(10) memo at the RNC, did it for tax purposes.
(11) When was the first time that you were aware that Mr.
(12) Young had renounced his United States citizenship?
(13) Mr. Barbour. During the time that the loan guarantee
(14) was being discussed, somebody said they thought he, Ambrous
(15) Young, had once been a citizen of the United States, that
(16) his wife was an American citizen, the children, who were
(17) grown, are all American citizens, and that he had once been.
(18) I don't remember who it was, but I do recall that I wasn't
(19) sure whether that was true or not. I--
(20) Senator Durbin. Did you--
(21) Mr. Barbour. I have--when I actually found out with
(22) some certainty was when the records were being reproduced
(23) for the Committee, that there was a notation in there from
(24) our Finance Department that apparently they had received a
(25) call saying he's given up his citizenship and Steve is going

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(1) to start attending the meetings.
(2) Senator Durbin. So did you say at that point slow down
(3) with Ambrous Young, I'm not sure that we ought to get
(4) involved with a man who walked away from his U.S.
(5) citizenship to avoid paying taxes, and now wants to be a big
(6) benefactor to the Republican Party? I mean, Mr. Barbour,
(7) you and I go to a lot of events where we wave flags and we
(8) sing along with Lee Greenwood and we're all for America.
(9) Didn't it just give you some pause or hesitation to say, you
(10) know, this may be hard to explain to the loyal patriotic
(11) Americans who make up the supporters of the Republican Party
(12) why I'm spending time on a yacht, going to trips to China,
(13) making a little trip to Korea, inviting this man to have a
(14) personal meeting with Newt Gingrich and with Bob Dole?
(15) Didn't it ever dawn on you that this might not be the
(16) right approach to fund-raising for the Grand Old Party?
(17) Mr. Barbour. Senator, I must have misspoken. I
(18) intended to tell you that I found out this year, in 1997,
(19) when we were getting out all the records to deliver to the
(20) Committee for this investigation, is when I found out that
(21) Mr. Young had given up his citizenship.
(22) Senator Durbin. And the name John Bolton is familiar
(23) to you, I'm sure?
(24) Mr. Barbour. Oh, sure.
(25) Senator Durbin. He answered to you, as a matter of

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(1) fact, when he became president of the National Policy
(2) Foundation. And in his deposition on pages 79 and 80, he
(3) remembers it a little differently. Did you express your
(4) concerns [about Mr. Young being a tax exile] to Mr.
(5) Barbour?
(6) "I believe I did."
(7) "And do you recall when that occurred?"
(8) "At about the time this tax exile thing was in the
(9) newspapers."
(10) "I believe that he was the man who was in charge there
(11) in '95 and '96."
(12) Mr. Barbour. John Bolton was president of the National
(13) Policy Forum in 1995 and 1996. Of course, at not time
(14) during that--this loan had been done long before that and--
(15) Senator Durbin. Wouldn't it have just crossed your
(16) mind if you were going halfway around the world to meet with
(17) a man and ask for money to figure out what his citizenship
(18) status was and whether he was an American citizen?
(19) Mr. Barbour. Senator Durbin, the guarantor of this
(20) loan was Young Brothers Development (USA). It was a Florida
(21) corporation. The president of it was a former chairman of
(22) the Republican National Committee. The secretary treasurer
(23) and general counsel was a former counsel to the President of
(24) the United States, Gerald Ford.
(25) Senator Durbin. But, Mr. Barbour, Mr. Barbour, the man

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(1) you were yachting with was Mr. Young. The man that you were
(2) touring China with was Mr. Young. The man you were inviting
(3) to Korea was Mr. Young. The man whom you brought in and
(4) said we need your counsel on Asia policy--they got the
(5) letter here. It is a very flowery letter, you are going to
(6) be our man on Asia policy--was Mr. Young. The man who had
(7) renounced his U.S. citizenship, and you never asked?
(8) Mr. Barbour. No, I never asked the man what he was--
(9) where he was a citizen. Just so you'll know for the record,
(10) Mr. Young did not go to Korea. You mentioned Korea twice.
(11) Senator Durbin. I think he was invited.
(12) Mr. Barbour. You mentioned Korea twice. In Korea, I
(13) went to the conference, leaders conference of the
(14) International Democratic Union, and Mr. Young did not go to
(15) Korea.
(16) Senator Durbin. Well, let me just tell you this: I
(17) don't know what life was like in Yazoo, Mississippi, where
(18) you grew up, but I can tell you what life was like in East
(19) St. Louis, Illinois, and these good nuns at St. Elizabeth's
(20) School gave me this book, "Man Without a Country," and I had
(21) to read this right along next to the Baltimore Catechism
(22) about people who walked away from the United States. And I
(23) just don't have the highest regard for them, nor do I think
(24) that they frankly ought to be bankrolling our American
(25) campaigns or our think tanks. But apparently that didn't

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(1) cross the minds of many people who were making decisions at
(2) the RNC or the NPF.
(3) Let me go to your bar chart for a moment here that
(4) shows all the money on hand. If you can put that up, if
(5) somebody would put that on that easel there, or if you could
(6) bring it up to the monitors here.
(7) Can you tell me--now, are you referring here to the
(8) Republican National State Election Committee balance as of
(9) October 20, 1994, to make your case that you were flush with
(10) money and didn't need this \$1.6 million from the NPF?
(11) Mr. Barbour. The green bar represents total non-
(12) Federal funds available, which is the RNC balance plus the
(13) pre-approved line of credit balance that all we had to do
(14) was write a check on.
(15) Senator Durbin. If we could put our--
(16) Mr. Barbour. So those two, those two figures together
(17) totaled the green bar--
(18) Senator Durbin. But what funds--
(19) Mr. Barbour. --which is the funds available. Non-
(20) Federal.
(21) Senator Durbin. What committees?
(22) Mr. Barbour. RNSEC, non-Federal.
(23) Senator Durbin. RNSEC, non-Federal. Well, let me tell
(24) you, your FEC filing for October 20, 1994, is inconsistent
(25) with this chart. It says your beginning cash on hand was

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(1) \$713,000 and you show \$5 million. And what is really
(2) curious is if you did have \$713,000 on hand, that would
(3) explain why you needed this money from the NPF. This was
(4) the fund you used to distribute to the State parties for
(5) soft money accounts. And let me tell you something else.
(6) If you were so flush with money, why during this same period
(7) of time, the next month, did this same fund, the Republican
(8) National State Elect Committee, borrow \$300,000 from the
(9) Signet Bank?
(10) Something is really inconsistent with your bar chart
(11) that you've given us and the FEC report Schedule I on file.
(12) Mr. Barbour. Senator Durbin, let me grab these figures
(13) right here, but I can assure you that the bar charts that
(14) somebody is taking--well, it is here on the screen still--
(15) accurately reflects the amount of funds available to the
(16) RNSEC on the dates shown, and--
(17) Senator Durbin. Well--
(18) Mr. Barbour. And I will venture to say, without fear
(19) of contradiction, of accurate contradiction, that it's going
(20) to comport with what the books showed that day.
(21) Senator Durbin. Well, let me tell you, I asked--
(22) Mr. Barbour. Let me--let me--let me give you here that
(23) on--I've got the figures. On November the 20th--I'm sorry.
(24) October the 20th, non-Federal funds available, \$5,053,521
(25) less NPF payment 1.6, leaves \$3,453,521. It includes the

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(1) balance in the RNSEC accounts and it includes the pre-
(2) approved line of credit that we could draw down on by
(3) writing a check. And, Senator, I will tell you that during
(4) this period of time we gave \$300,000 out of the RNSEC
(5) account to the building fund. When you--
(6) Senator Durbin. Let me just suggest to you--
(7) Mr. Barbour. --put money in the building fund, you
(8) can't ever get it out.
(9) Senator Durbin. Now I can understand why you come up
(10) with this \$5 million. You are talking about a line of
(11) credit available to you, but one you didn't use. In fact,
(12) you borrowed \$300,000. You used the money from the NPF.
(13) What gets me here is you make a mad dash with the letter to
(14) Mr. Ambrous Young, this fellow who renounced his U.S.
(15) citizenship, telling him get on board in August of '94, this
(16) is a big campaign and we need you. Then you go through this
(17) mad scramble to try to get him to do the loan guarantee
(18) right up to the very last minute of that campaign. You get
(19) the money, move it on over to your account, send it out to
(20) the States to make sure it's put in the account and filed
(21) after October 20th so that they can use it for soft money in
(22) the campaign. And you come here today and say we didn't
(23) need it, you know, we were just kind of building up an
(24) account and it wasn't that important. This is hard to
(25) follow, and it's hard to understand.

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(1) I got one last question to ask you. Now, you've talked
(2) about your good system, and if you had one, God bless you.
(3) I wish the Democratic National Committee had as good a
(4) system to vet contributions. But when it was all said and
(5) done, is it not true that this year the Republican National
(6) Committee decided to give back over \$100,000 to Young
(7) Brothers (USA)?
(8) Mr. Barbour. Virtually all of which was contributed in
(9) 1991 and 1992, \$25,000 of it from 1993--
(10) Senator Durbin. And the reason--
(11) Mr. Barbour. That is absolutely correct.
(12) Senator Durbin. And the reason it was returned?
(13) Mr. Barbour. Is because the committee, when they
(14) accepted the contribution in 1991--I wasn't there, but as I
(15) understand it, they got a check from an American company
(16) drawn on an American bank, the president of which was a
(17) former chairman of the RNC, and that apparently, from
(18) looking at the records, the Young Brothers people thought if
(19) they loaned the money from Hong Kong to the Florida company,
(20) that that made it okay, and that they found out in 1997 that
(21) that might be a problem, the RNC followed up on it and found
(22) out that the money had been loaned--
(23) Senator Durbin. Well, you know what, Mr. Barbour--
(24) Mr. Barbour. --and that therefore the RNC, the day
(25) they found out, Senator Durbin--I wasn't there, I wasn't

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(1) chairman then. But the day they found out, they returned
(2) every penny of it.
(3) Senator Durbin. That's exactly what happened on our
(4) side of the table at the Democratic National Committee when
(5) the same discovery was made that money was transferred to a
(6) corporation that did not have the money, that didn't have a
(7) profitable year, and much was made of that. The money was
(8) returned. So your vetting process may have been better, but
(9) at least in this instance, you ran into the same problem we
(10) ran into trying to figure out whether the companies that
(11) send money to our national committees actually are
(12) profitable companies or whether they are drawing loans from
(13) overseas which are an improper basis for a contribution.
(14) Thank you, Mr. Chairman.
(15) Chairman Thompson. I want to take a minute of my own
(16) time.
(17) Mr. Barbour, you have managed to provoke something here
(18) that up until today we haven't been able to achieve, and
(19) that is apparently a sense of moral outrage. We have heard
(20) about \$50,000 buying a radio presence with the President.
(21) We have heard of the \$100,000 buying an audience with
(22) somebody over at the NSC. We have heard about drug dealers
(23) and arms merchants in and out of the White House. But today
(24) Mr. Ambrous Young has provoked moral outrage.
(25) I think--this is a gentleman who escaped mainland China

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(1) at the age of 14 and went to Taiwan and literally went from
(2) rags to riches. He is an Oriental gentleman and was a
(3) citizen of Taiwan the entire time that he was a citizen of
(4) the United States, came here for medical treatment, has
(5) children that are U.S. citizens. I think he compares pretty
(6) favorably to some of the other characters we have heard over
(7) the last couple of weeks.
(8) Senator Specter?
(9) Senator Specter. Thank you, Mr. Chairman. I am not
(10) sure, Mr. Chairman, about moral outrage. Mr. Barbour is a
(11) highly touted witness, but our hearing room is almost empty.
(12) Mr. Barbour, I think you ought to know that. Of course, you
(13) can take a look and see for yourself. The bad news is we
(14) don't have a vote until 8:30, but you will probably be
(15) finished. You are not going to be rescued by it.
(16) Mr. Barbour. Senator Specter, having been a Republican
(17) in Mississippi in 1968, I have played to a lot of empty
(18) rooms in my day. So my feelings aren't hurt.
(19) Senator Specter. Well, I remember when you ran for the
(20) Senate in 1982. You played to a few empty rooms there, not
(21) too many Senators on the floor, customarily.
(22) Mr. Barbour, I compliment you on being an effective
(23) witness. I want to pick up where I left off with Mr. Becker
(24) on an aspect of the Young Development Brothers transaction
(25) which troubles me. And what I am looking for, frankly, is

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(1) reform. I do not know that we are going to accomplish very
(2) much on assessing blame in the course of these hearings. I
(3) think there is a big difference in the Young Brothers
(4) Development matter than what Mr. Huang did at Stephens and
(5) the secret information, but there are aspects which trouble
(6) me here.
(7) There cannot be a contribution directly by a foreign
(8) corporation, Young Brothers (Hong Kong), to the Republican
(9) National Committee. And the essential question which I said
(10) yesterday is whether this was a genuine commercial
(11) transaction or a subterfuge or sham. And if you collapse
(12) it, it looks like a sham.
(13) If you start with the proposition that \$2.1 million,
(14) which turns out to be collateral security, is transferred
(15) from Young Brothers (Hong Kong) to Young Brothers (USA), and
(16) then is used to guarantee a loan to the National Policy
(17) Forum and they use that money then to repay obligations to
(18) Republican National Committee, you could be doing indirectly
(19) what you can't do directly. And one of the things that I
(20) think we ought to do is to make modifications in the law to
(21) stop indirect activity which is prohibited on a direct
(22) matter.
(23) The letter from Baker, Hostetler said that "We have
(24) been assured, and assume it to be true, that the partial
(25) repayment by National Policy Forum of such outstanding loan

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[1] obligations will not be made to a political committee as
[2] defined by the act."
[3] Now, I understand since taking this up with Mr. Becker,
[4] that the political committees may have been State committees
[5] as opposed to the Republican National Committee. But the
[6] question I have for you is: Isn't this the sort of a
[7] matter, looking prospectively to the future, that we ought
[8] to try to deal with in a legislative way, not intended
[9] necessarily by what you did here. I'm not going to make
[10] that inference. But if you collapse the transaction, isn't
[11] that the sort of a matter we ought to prohibit in
[12] legislation in the future?
[13] Mr. Barbour. Senator Specter, certainly it is
[14] something everybody ought to understand. The Federal
[15] election law, Federal Election Campaign Act, regulates
[16] activity, specifically the Supreme Court said advocacy of
[17] election or defeat of a candidate for Federal office. If it
[18] regulates Federal campaigns, the two parties, the Democratic
[19] Party and Republican Party, are both national parties. We
[20] are not Federal parties. We are national parties.
[21] When I was chairman of the RNC, we helped support Tom
[22] Ridge in his race for Governor. We helped support the
[23] Republican caucuses in the State legislature in
[24] Pennsylvania. We helped support people running for local
[25] office, county commissioner. So-

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[1] Senator Specter. Mr. Barbour, the fact is that you
[2] have supported a lot of Republicans who are on this
[3] Committee, and the Democratic National Committee has
[4] supported a lot of Democrats who are on this Committee. And
[5] we have a heavy duty to try to put that aside as we work for
[6] the common interest in trying to legislate for the future.
[7] And I understand what you are saying, and I have another
[8] question I want to ask, and I have only got 10 minutes.
[9] Mr. Barbour. Yes, sir. I'm sorry. I was just going
[10] to tell you that the reason the FEC has a State and a
[11] Federal is they know that we do things for State elections,
[12] and that's why they make us have a separate State account
[13] and a separate Federal account.
[14] Senator Specter. Right, I-
[15] Mr. Barbour. The State account isn't covered.
[16] Senator Specter. I know you do, Mr. Barbour, and the
[17] question is that these funds go from one to another by
[18] osmosis through transparent shields. And there is an awful
[19] lot of overlap, and I know it is a very heavy responsibility
[20] to try to deal with national organizations which do have
[21] responsibilities on the State level.
[22] But what I am searching for is some way to insulate the
[23] process so that we don't have foreign money coming
[24] indirectly into State elections, even though that may be
[25] legal at the present time. Do you think that is a subject

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[1] worth our exploration for remedial action for reform for the
[2] future?
[3] Mr. Barbour. My understanding of the law, Senator, is
[4] that foreign money is not to be used in any kind of
[5] elections in the United States. That is my- that the States
[6] have laws, but I don't- I don't want to hold myself out to
[7] be an expert.
[8] Senator Specter. Mr. Barbour, in a sense, don't you
[9] really get money from Young Brothers Development (Hong Kong)
[10] which goes through the money to Young Brothers Development
[11] (USA), which is a guarantor, and ends up paying the money to
[12] the bank, Signet, which loaned it to the National Policy
[13] Forum, which repays the money to the Republican National
[14] Committee? Isn't there something there that we ought to be
[15] working on to try to change for the future?
[16] Mr. Barbour. I think if you wanted to say that parties
[17] couldn't lend money to anybody because they might get paid
[18] back out of money that the group that they loaned the money
[19] to could legally raise to pay back-
[20] Senator Specter. But couldn't go to the lender, that's
[21] what I'm looking at.
[22] Mr. Barbour. I mean, you could do that, from hearing
[23] Senator Bennett earlier, there- he thinks that the
[24] Republican National Committee would be better off if we
[25] couldn't lend money to the National Policy Forum because we

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[1] lost \$2.5 ml. But all I ask you, Senator, is I think if
[2] everybody understands what the law is, why there are
[3] separate State committees with the RNC and DNC for State,
[4] and that you should know- and I want to say- and I'll be
[5] brief. There is no osmosis. The FEC makes us account very
[6] stringently for the segregation of the Federal and non-
[7] Federal.
[8] Senator Specter. Mr. Barbour, let me ask you to
[9] supplement your answer, think it through, and you might have
[10] some suggestions for the Committee, because I want to turn
[11] to one other subject, and it is the subject of advocacy ads
[12] and issue ads, which I find enormously troubling. And a
[13] 501(c)(4) can run issue ads, but not express advocacy, and
[14] this is a subject I took up in some detail, as did the
[15] Chairman, Senator Thompson, with Attorney General Reno when
[16] she appeared in this room back on April 30th on a Judiciary
[17] oversight hearings. And the Federal Election Commission
[18] defines an advocacy ad as "language which, when taken as a
[19] whole, can have no other reasonable meaning than to urge the
[20] election or defeat of a clearly identified Federal
[21] candidate."
[22] I want to read you one of the commercials which were
[23] prepared or edited by the President, a matter that I sent to
[24] the Attorney General and asked her whether this was an
[25] advocacy ad because, candidly, Senator Thompson and I

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[1] couldn't make much progress in the hearing. And this is a
[2] commercial: "Protecting families. For millions of working
[3] families, President Clinton has cut taxes. The Dole-
[4] Gingrich budget tried to raise taxes on 8 million. The
[5] Dole-Gingrich budget would have slashed Medicare \$270
[6] billion, cut college scholarships. The President defended
[7] our values, protected Medicare, and now a tax cut of \$1,500
[8] a year for the first two years of college. Most community
[9] college is free. Help adults go back to school. The
[10] President's plan protects our values."
[11] And my question to you is: Shouldn't that be
[12] considered as an advocacy ad? I am not asking you whether
[13] it is legally. But shouldn't that be considered as an
[14] advocacy ad and the type of an ad which 501(c)(4)'s like the
[15] National Policy Forum or the Democratic Leadership Council
[16] ought not to be able to run from foreign contributions?
[17] Mr. Barbour. As you know, Senator, the National Policy
[18] Forum didn't run any issue advocacy ads at all, so I just
[19] wanted to make sure you knew that. But, Senator, this was
[20] one of the new developments of the 1996 campaign. It
[21] started with the AFL-CIO. But you're right, for the average
[22] viewer, you can't tell the difference between that and a
[23] political ad that says "Vote for Bill Clinton."
[24] The AFL-CIO ran more than \$50 million worth of them.
[25] The DNC ran them. Ultimately the RNC ran them. It never-

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[1] as far as I know, we have never seen the issue advocacy ad
[2] taken to this level.
[3] It is legal, and the problem with regulating it is the
[4] First Amendment right to petition the Government, free
[5] speech. If the ad said Senator So-and-so voted bad on
[6] Medicare, call him and tell him to do better. That could
[7] sound like an election ad, too, but it may very well be that
[8] the people running it are very honestly trying to change
[9] Senator What's-his-name's vote on Medicare. So it is not an
[10] easy thing, but your point is obvious. These things sound
[11] like campaign ads, but there's a hole in the wall they're
[12] getting through.
[13] Senator Specter. Well, Mr. Barbour, I am not so sure
[14] that they are legal. That case is on cert to the Supreme
[15] Court of the United States today, and my legal opinion is
[16] that they are clear-cut advocacy ads. And I wrote a letter
[17] to the Attorney General, and I would ask that my letter to
[18] her and her response to me and the response from the Federal
[19] Election Commission be made a part of this record. I
[20] haven't made it a part of the record for almost 5 hours when
[21] I made a floor statement today. But these are very, very
[22] important matters looking to the future.
[23] And when I wrote to the Attorney General and asked her
[24] for her opinion as to whether these are advocacies or issue
[25] ads, she declined to take a position, saying this was a

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(1) matter for the Federal Election Commission. Up until that
(2) point, I thought the Attorney General was the chief law
(3) enforcement officer of the country. And the Federal
(4) Election Commission wrote me a letter saying that this had
(5) already happened. They only gave opinions for prospective
(6) activity.
(7) So we will have to work it through ourselves, but the
(8) real charge of this Committee is to take what has happened
(9) here, and I am not saying the National Policy Forum ran
(10) advocacy ads. I don't know that the Democratic Leadership
(11) Council ran advocacy ads either. I just know you could do
(12) it.
(13) And I for one would very much appreciate your thinking
(14) as we move into the reform stage as to what this Committee
(15) is going to be doing.
(16) Mr. Barbour. Yes, sir.
(17) Senator Specter. Thank you very much.
(18) Thank you, Mr. Chairman.
(19) Chairman Thompson. Thank you, Senator Specter.
(20) Senator Torricelli?
(21) Senator Torricelli. Thank you, Mr. Chairman, very
(22) much.
(23) Mr. Barbour, it occurs to me that the most notable
(24) thing about your testimony is not that you were the first
(25) Republican to appear before this Committee, but I noted that

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(1) you were born in 1950.
(2) Mr. Barbour. No, sir. I was born in 1947.
(3) Senator Torricelli. 1947. Well, you could do a great
(4) deal of good before this Committee if you could recount
(5) that, in fact, you were 4 years old in 1951. So I assume
(6) you remember the Kefauver hearings.
(7) [Laughter.]
(8) Mr. Barbour. It is a flickering image in my mind.
(9) Senator Torricelli. It is a flickering image.
(10) [Laughter.]
(11) Senator Torricelli. But it is a very clear image. If
(12) you were 4 years old, it was riveting, wasn't it?
(13) Mr. Barbour. I'll confess, Senator, that I do not,
(14) except to have seen stuff in the news later as a young man.
(15) Senator Torricelli. And I was prepared to pass, Mr.
(16) Barbour, if you had answered that question differently.
(17) Mr. Barbour, much has been said about the comparison of
(18) the Democratic Leadership--and I only want to deal with it
(19) briefly. But, in fact, you do not have any information to
(20) share with the Committee that the DLC ever either borrowed
(21) money or relied upon collateral with any foreign
(22) corporations, individuals or sources, I assume?
(23) Mr. Barbour. Senator, I am unaware of anything about
(24) the DLC except that it has been reported in the news media
(25) that the DLC was a recipient of a contribution from the

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(1) Government of India in 1994, which is perfectly legal if
(2) true, but I do not know it other than it was written in the
(3) newspaper.
(4) Senator Torricelli. Fine. Thank you very much.
(5) Senator Durbin addressed with you this question of the
(6) financial status of the Republican National Committee in
(7) early October of 1994. Your chart, I believe, indicated
(8) that you were maintaining a balance of over \$5 million.
(9) Mr. Barbour. Non-Federal funds available, yes, sir.
(10) Senator Torricelli. And that, Mr. Barbour, is what
(11) troubles me. You know, we went through questioning of a
(12) number of Senators on this panel until Senator Durbin asked
(13) his questions. It occurred to me that in my own checking
(14) account in New Jersey now, which I manage my house, at this
(15) point in the month I probably have less than \$1,000. But I
(16) have a line of credit for a second mortgage on my house of
(17) probably 200. If you were to ask me how much money I had
(18) available in my checking account and I told you \$201,000,
(19) would that be an honest answer?
(20) Mr. Barbour. If you asked me how much money you had in
(21) your checking account, we put a chart up of the amount of
(22) non-Federal funds available on every day and on every day
(23) that chart is accurate.
(24) Senator Torricelli. Mr. Barbour, I think you know we
(25) were looking at how much money the RNC actually had on hand

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(1) at the time. The accurate answer to the question is
(2) contained in your FEC reports, which indicate that you had
(3) \$713,000 available. Indeed, during the course of October--
(4) this is in the non-Federal account, which I'm told is the
(5) source of over 90 percent of the contributions you make on a
(6) non-Federal basis--you had a balance of \$713,000 in your
(7) October 20th report.
(8) Indeed, during the month of October 1994, there are two
(9) days in which, in fact, you were probably running a negative
(10) balance, that you had written checks at or in excess of what
(11) you actually had in case on hand.
(12) The result of all that, Mr. Barbour, would be that, in
(13) fact, you arranged to have this repayment of money from the
(14) National Policy Forum of \$1.6 million because, in fact, for
(15) your obligations to State parties, you really had no choice.
(16) The amount of money that you distributed to 21
(17) different States would not have been possible in your non-
(18) Federal account if not for the repayment of money from the
(19) National Policy Forum originating with Mr. Young.
(20) Mr. Barbour. I know that's your testimony, Senator
(21) Torricelli, but it is not accurate.
(22) Senator Torricelli. I'm asking you a question.
(23) Mr. Barbour. Let me just answer--
(24) Senator Torricelli. It may not seem like it, but I'm
(25) asking--

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(1) Mr. Barbour. Let me answer you under oath that that is
(2) not accurate, that the Republican National Committee could
(3) write a check or checks for the balance that we show up
(4) there on any of those days. I had no--
(5) Senator Torricelli. By using a line of credit.
(6) Mr. Barbour. --compunction at all about drawing down
(7) on the line of credit to the point, Senator, that on October
(8) the 28th, the RNSEC, the non-Federal account, transferred
(9) \$500,000 to our building fund. To the building fund. It
(10) can't be used for anything but construction--
(11) Senator Torricelli. Mr. Barbour, let's--
(12) Mr. Barbour. --air conditioning units--
(13) Senator Torricelli. Let's deal with each other--
(14) Mr. Barbour. I think that speaks for itself louder
(15) than anything I can say.
(16) Senator Torricelli. I have limited time here, so
(17) you'll excuse me if I appear to push you, but I have to be
(18) careful in not exhausting my time. Let's deal with each
(19) other honestly. Let's separate out what you had in a line
(20) of credit.
(21) The fact of the matter is the contributions you made to
(22) assist in the electoral campaigns of 1994 would not have
(23) been possible but for the money transferred from the
(24) National Policy Forum. Either your chart is accurate or
(25) your filing with the Federal Election Commission is--because

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(1) according to your filing, you had \$713,000 and yet you made
(2) contributions in excess of \$1.6 million to various State
(3) parties and other candidacies.
(4) Now, either you would have had to use credit, which you
(5) didn't, or you had to have Mr. Young's money made available
(6) to you in the repayment of a loan.
(7) Mr. Barbour. Senator Torricelli, that is inaccurate.
(8) You have failed to recognize, I believe, that the RNC raised
(9) money every day; that we raise money every day, to the
(10) point, as I say, that during the middle of this, 10 or 11
(11) days before the election, we transferred \$500,000 out of
(12) this account into the building fund. We made internal
(13) transfers at the RNC by hundreds of thousands of dollars.
(14) Senator Torricelli. Mr. Barbour, the report stands for
(15) itself. You have submitted a legal document with a \$700,000
(16) balance. You distributed after those dates in excess of
(17) \$1.5 million in contributions, and during several of these
(18) days, you actually had a negative balance in the account, if
(19) not for the repayment of money from the National Policy
(20) Forum.
(21) The fact of the matter is, Mr. Young's repayment of
(22) money through the National Policy Forum carried the
(23) Republican National Committee into Election Day in 1994,
(24) money that was distributed to 21 States. The impact of that
(25) on the elections of the Federal Government, of which this

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(1) hearing is about, were, indeed, profound.
(2) Mr. Barbour Senator Torricelli, in all deference, you
(3) are wrong in fact, and you are wrong in effect. Every penny
(4) of this money was non-Federal money. None of it could go
(5) into Federal campaigns.
(6) I heard you say on television that Young Brothers—that
(7) NPF loaned the RNC \$1.6 million, which is not true, and what
(8) you are saying now is inaccurate, period.
(9) Senator Torricelli, Mr. Barbour, we both know that the
(10) money that was returned from the Young Brothers, the
(11) National Policy Forum, and the RNC could not go directly
(12) into congressional accounts. We understand that, and you
(13) and I know we are not talking about that. Let's be honest
(14) with each other and understand we are two people who are
(15) involved in this process.
(16) What you did is you sent tens of thousands of dollars
(17) to State parties in 21 different States that in some measure
(18) or form participated in campaigns in which 26 members of
(19) Congress or candidates for Congress were defeated, which was
(20) an instrumental part of a change in the United States
(21) Congress. That is what you did. I am not saying it is even
(22) illegal.
(23) It is simply a question of establishing the facts that
(24) the National Policy Forum's return of money, that the Young
(25) Brothers became a major element in the Federal campaigns of

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(1) 1994. That is the only point I want to establish, and with
(2) my fleeting time, let's just go to another one.
(3) Mr. Barbour, Well, Senator, I know you have got
(4) fleeting time. Let me just say, what you are trying to
(5) establish is wrong. It is incorrect and not accurate.
(6) Senator Torricelli, Well, we will leave that point
(7) alone. Your debate really is not with me. It is with your
(8) filing with the Federal Election Commission, and you can
(9) debate it at will. Let me simply go on to another point, if
(10) I could.
(11) Soft money contributions that were made from the RNC in
(12) that cycle were \$4.6 million to the Americans for Tax
(13) Reform, and \$650,000 to the Right-to-Life. Is it your
(14) testimony that the Americans for Tax Reform Committee mailed
(15) 21 million pieces of mail and organized telephone campaigns,
(16) that in no instance did you coordinate, discuss, or evaluate
(17) what campaigns would be benefitted by either, this pro-life
(18) organization or this tax reform organization, what
(19) candidacies, what campaigns, the contents of those mailings
(20) or phone calls?
(21) Mr. Barbour, Senator Torricelli, did you say in 1994?
(22) Senator Torricelli, Through this cycle.
(23) Mr. Barbour, What are you talking about?
(24) Senator Torricelli, The Federal cycle, from 1992
(25) elections through the 1994 elections.

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(1) Mr. Barbour, I believe you have your facts confused,
(2) Senator. I don't believe what you say—that is what threw
(3) me—that I don't believe that that happened in the 1992 to
(4) 1994 cycle.
(5) Senator Torricelli, Mr. Barbour, let's broaden the
(6) cycle, then.
(7) Mr. Barbour, Okay.
(8) Senator Torricelli, In the times in which you were
(9) chairman of the Republican National Committee, we will
(10) answer this on your terms on any facts that you want to
(11) present.
(12) Mr. Barbour, I just want to answer it accurately,
(13) Senator.
(14) Senator Torricelli, Fine. Well, we will do that.
(15) During your terms in which you chaired the committee,
(16) my information is that \$4.6 million went to the Americans
(17) for Tax Reform Committee.
(18) Mr. Barbour, The Americans for Tax Reform.
(19) Senator Torricelli, Right. Do you agree with the
(20) number, roughly?
(21) Mr. Barbour, I can't take issue with a ball park.
(22) Senator Torricelli, And \$650,000 went to Right-to-Life
(23) Committee, roughly? I won't hold you to the numbers.
(24) Mr. Barbour, Ball park.
(25) Senator Torricelli, What is relevant to the testimony,

(1) of which I want you to attest, that at no time did any of
(2) that money result in the coordination of what was mailed,
(3) who was mailed, who was called, what was said; that, indeed,
(4) there was not a coordination of any of those expenditures or
(5) the campaigns during your tenure at the Republican National
(6) Committee. Is that your testimony?

(7) Mr. Barbour, Senator, you are apparently saying that
(8) you thought these were independent expenditures that were
(9) coordinated.

(10) Senator Torricelli, I am not saying anything. I am
(11) asking you a question.

(12) Mr. Barbour, The fact of the matter is, the money that
(13) we contributed was controlled by the people that we
(14) contributed it to, but to my knowledge and my understanding,
(15) none of it was spent to advocate the election or defeat of a
(16) candidate for Federal office; that none of it was spent on
(17) anything that would be covered that would be part of an
(18) election campaign.

(19) Senator Torricelli, Well, let's say, Mr.
(20) Barbour—let's try to answer that without the qualifiers.
(21) What I was looking for you to say is there was no
(22) improper coordination.

(23) Mr. Barbour, There was no—
(24) Senator Torricelli, The Republican National Committee
(25) had no knowledge—

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(1) Mr. Barbour, There was no—
(2) Senator Torricelli, —and they were spent genuinely
(3) independently?

(4) Mr. Barbour, There was no improper coordination,
(5) Senator, to use your words.

(6) Senator Torricelli, That is the testimony I was
(7) looking for. Thank you very much.

(8) Chairman Thompson, Thank you very much.

(9) Mr. Barbour, There was no improper coordination.
(10) Chairman Thompson, Senator Smith?

(11) Senator Smith, Thank you very much, Mr. Chairman.

(12) It is interesting, we are trying to account for these
(13) dollars. I think Mr. Barbour has given as thorough an
(14) explanation all afternoon here as he possibly can on that,
(15) and it might be interesting to know what happened to the
(16) Huang dollars, the Trie dollars, the Cheong dollars, the
(17) Tamraz dollars, the Lippo dollars that we have been trying
(18) to find out for the past 3 weeks. I did not hear the same
(19) type of question coming from Senator Torricelli on that
(20) particular issue, millions and millions of dollars to the
(21) DNC. We cannot get these witnesses to come in here and tell
(22) us where those dollars went, or where they came from, for
(23) that matter. So, hopefully, we will get some answers to
(24) that.

(25) I want to touch on two quick things.

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(1) Senator Torricelli, Mr. Chairman, on a point of
(2) personal privilege, there is a tendency here, each and every
(3) time I ask questions—Senator Smith wants to use these now
(4) to refer back to me personally, which is certainly his
(5) right, but I want the Chair to know that if we persist in
(6) going that, since that was not an accurate portrayal of the
(7) questions that I have asked—indeed, we asked very similar
(8) questions to the Democratic National Committee, but I
(9) believe that it would be fair, then, that there be time
(10) given to respond to them.

(11) I would not do that to Senator Smith, out of respect to
(12) him. I am surprised he does it to me, but if he persists,
(13) Mr. Chairman, then, of course, we will ask for time to
(14) respond.

(15) Chairman Thompson, You can request whatever you choose
(16) to request.

(17) Senator Smith, Mr. Chairman?

(18) Chairman Thompson, Senator Smith?

(19) Senator Smith, In fairness—and the record will
(20) support me—that is the first time that I have used the
(21) Senator's name in the entire course of these hearings. So I
(22) do not know what the problem is, but I do not have time to
(23) get into that right now.

(24) Mr. Barbour, there are a couple of areas that I want to
(25) go into. First of all, in the area of the 501(c), which has

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(1) been questioned here by Senator Nickles and others, I just
(2) want to clarify again for the record that the National
(3) Policy Forum applied for this 501(c)(4) in 1993, got no
(4) denial or acceptance, but as you stated, under the law, you
(5) could continue to function until you received word, one way
(6) or the other, until February 21, 1997, at which time you
(7) received a denial of this status, after the National Policy
(8) Forum had gone out of existence. Is that correct?
(9) Mr. Barbour. Senator, that is exactly right. In fact,
(10) there is an Exhibit 5 that traces the chronology.
(11) Senator Smith. Right. I have that.
(12) In addition to the denial-I do not know the exact
(13) number, but I believe it is a 14- or 15-page letter
(14) explaining that denial after you were defunct. Is that
(15) correct?
(16) Mr. Barbour. Yes, sir.
(17) Senator Smith. You then responded-you, the
(18) NPF-responded to a-not you, but the NPF responded to the
(19) IRS denial with another letter saying, hey, we do not
(20) understand this, here is what we are all about. Now, that
(21) was on May 20th. Have you gotten that-has the NPF received
(22) a response to that since May 20th?
(23) Mr. Barbour. No, sir.
(24) Senator Smith. It might also be interesting to point
(25) out, because I know there are a lot of American citizens out

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(1) there probably watching the hearings right now, that
(2) probably at one point or another, sometimes fairly, often
(3) unfairly, have dealt with the IRS, and in some cases,
(4) perhaps many cases, unfairly. We might use the term
(5) "harassed." So I think they may have some understanding of
(6) the point I am trying to make here, but it is interesting to
(7) note-and Senator Lieberman brought this up earlier-that
(8) when the application was requested for the DLC during the
(9) Reagan administration, that request came in, in March of
(10) 1985 and was granted, as I understand it, in November of
(11) 1986, fairly prompt, under most bureaucratic standards, and
(12) so there is a clear dichotomy here in terms of the approach
(13) and how this was dealt with, without getting to the pros and
(14) cons of whether the DLC or the NPF, how they functioned in
(15) terms of their 501(c).
(16) The point is they are similar. That has been testified
(17) to, and one was approved fairly promptly. One was never
(18) approved and was finally denied, ultimately.
(19) Now, does it concern you? Do you feel that it is a
(20) coincidence that the IRS, after this matter was defunct,
(21) after the NPF was defunct, would wait to decide this status
(22) until after the Committee's investigation was under way? Is
(23) that a coincidence in your opinion?
(24) Mr. Barbour. Senator, I cannot tell you, but the fact
(25) of the matter is, they did happen about the same time.

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(1) Senator Smith. Are you aware that the Joint
(2) Congressional Committee on Taxation is currently
(3) investigating charges that the IRS has improperly focused
(4) its auditing activities in a partisan manner, disfavoring
(5) Republicans?
(6) Mr. Barbour. Yes, sir, and I am aware that the
(7) Democratic ranking member, Senator Moynihan, and Congressman
(8) Rangel both have joined in that investigation, both signed
(9) that letter.
(10) Senator Smith. Mr. Chairman, I might just point out
(11) that I think if it is possible, it would be certainly my
(12) position that we ought to talk to the IRS regarding this
(13) matter. I think we ought to have an explanation from them
(14) as to the purpose of the denial, and the timing of the
(15) denial, and I would certainly defer to the Chairman on the
(16) timing of that, but I think it would be appropriate at some
(17) point in the hearing to get that, either through deposition
(18) or through testimony, whichever the Chair prefers.
(19) Let me just go into one other area, and if we could put
(20) Exhibit 507 up, I would appreciate it.
(21) You are getting a copy of that now, Mr. Barbour.
(22) I was somewhat taken aback by some earlier testimony
(23) about basically the implication that-and I do not know Mr.
(24) Young. So I cannot comment one way or the other. The
(25) implication-and the Chairman brought it up-that there may

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(1) be something sinister or wrong with being on a yacht or
(2) having some other meeting with an individual who may, for
(3) whatever reason, have decided to renounce his U.S.
(4) citizenship.
(5) It is interesting, as we look at this chart, which I
(6) think you have before us now, some very interesting
(7) characters here that have had access, Gregori Louchansky, a
(8) suspected Russian mafia boss who attended an October 1993
(9) White House Dinner. Did you ever have a dinner with a
(10) suspected mafia boss, Mr. Barbour?
(11) Mr. Barbour. No, sir.
(12) Senator Smith. Would you ask a suspected mafia boss to
(13) contribute to the Republican National Committee?
(14) Mr. Barbour. No, sir.
(15) Senator Smith. To the National Policy Forum?
(16) Mr. Barbour. No, sir.
(17) Senator Smith. I think, Mr. Chairman, if you go down
(18) this list, and I do not want to belabor it by going through
(19) all of them, but there are some pretty bad boys on here, to
(20) put it bluntly, and these people had access to the President
(21) of the United States, and I think it is somewhat
(22) disingenuous for some to make a point about a man who had
(23) dual citizenship, who felt very strongly about his homeland,
(24) Taiwan, original homeland, and I do not have any knowledge
(25) of what the reason was he decided to go back to being a

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(1) Taiwanese citizen. I am not sure how relevant that is to
(2) anything, but if the issue is association with undesirable
(3) people, I think that was the purpose of the questioning, not
(4) by Senator Torricelli, I might add.
(5) If that is the purpose of the questioning, then I think
(6) the implication is that maybe there is a little bit
(7) more-should I say it might have been a little bit worse on
(8) the other side than on this side, to put it mildly.
(9) So I just want to conclude, Mr. Chairman and Mr.
(10) Barbour, by saying thank you for testifying today. It is
(11) rough to go through this, and I think the part that has
(12) bothered me about all witnesses who have appeared before
(13) this Committee, on both sides, is the way that you get tried
(14) in the media.
(15) Senator Cochran read some headlines. We had some
(16) headlines, frankly, from some on the other side that were
(17) not accurate about individuals before they had the
(18) opportunity to testify here. I think it is a sad commentary
(19) that we have come to this, but I appreciate the fact, and I
(20) know you do, that you have had the opportunity to set the
(21) record straight as you see it, and I appreciate your
(22) testimony here this afternoon, as I appreciated the
(23) testimony of the others, especially Mr. Sullivan, who I
(24) thought was very candid before this Committee, who took some
(25) shots in the press as well, and I appreciate the opportunity

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(1) to set the record straight. Thank you for testifying.
(2) Thank you, Mr. Chairman.
(3) Chairman Thompson. Thank you, Senator Smith.
(4) Senator Cleland?
(5) Senator Cleland. Let me just say to my good friend and
(6) fellow Senator, Mr. Barbour, it is nice to have somebody
(7) before our Committee that does not have an accent.
(8) Mr. Barbour. Thank you, Senator.
(9) Senator Cleland. Let me just say, I do not think you
(10) are on trial. I do not think the Republican party is on
(11) trial. I do not think NPF is on trial. I think the
(12) American political system is, and we need your help.
(13) I am not, quite frankly, interested in pinning the tail
(14) on the donkey. I am not even interested on pinning the tail
(15) on the elephant, but I am interested in plugging loopholes
(16) in existing campaign finance laws, which have allowed this
(17) incredible, unremitting, unforgiving, unrelenting,
(18) out-of-control race for money in our political system to put
(19) unmitigated pressure on us all. Will Rogers once said that
(20) politics has got so expensive, it takes a lot of money just
(21) to get beat.
(22) I would like to ask you, do you support a ban on soft
(23) money in Federal elections?
(24) Mr. Barbour. I support a ban on soft money in Federal
(25) elections, yes, sir, and that is the current law.

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(1) Senator Cleland. Well, we have soft money in Federal
(2) elections. Do you support a ban on soft money in Federal
(3) elections?
(4) Mr. Barbour. Senator, the term "soft money," as I
(5) understand it, is the term that describes money that the
(6) parties raised that cannot be spent in Federal elections,
(7) what we call the non-Federal account.
(8) I was saying to Senator Specter, the Democratic
(9) National Committee is not the Democrat Federal Committee,
(10) and the Republican National Committee is not the Republican
(11) Federal Committee.
(12) As you know, in your State, we support Republican
(13) candidates for State office, for the State legislature, for
(14) the Fulton County commission chairman, and so we make
(15) contributions and spent money, usually in concert, but not
(16) necessarily with our State parties, that is not for Federal
(17) election purposes, and the FEC says that is not covered by
(18) the Federal ban, and I don't think it ought to be covered.
(19) If Georgia wants to allow corporate contributions and
(20) New Jersey doesn't, Georgia ought not to have to go by New
(21) Jersey's law, and New Jersey ought not to go by Georgia's
(22) law.
(23) Senator Cleland. So we are not talking about State
(24) laws.
(25) Mr. Barbour. Yes, sir.

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(1) Senator Cleland. We are talking about a Federal law
(2) here banning soft money, by which both parties have gotten
(3) in massive difficulty here, which is why this Committee
(4) exists, unfortunately.
(5) Now, would you support a full disclosure of the sources
(6) of funding, so-called issue advocacy ads?
(7) Mr. Barbour. Senator, my own view, and I have said
(8) publicly, everybody who participates in the process ought to
(9) have to fully disclose that the most important element of
(10) our campaign finance law structure is disclosure, but I have
(11) to say, those who say this offends First Amendment rights,
(12) have been supported by the United States Supreme Court,
(13) going all the way back to the case of NAACP v. Sullivan,
(14) when the court said that organizations shouldn't have to
(15) reveal their donors.
(16) I personally like the idea, but I also confess that I
(17) recognize the First Amendment problems with it.
(18) Senator Cleland. We had a constitutional lawyer here
(19) yesterday—I think his name was Mr. Becker—who thought that
(20) the Buckley v. Vallejo decision by the Supreme Court should
(21) be reversed, and that that would help in our structuring of
(22) campaign finance laws.
(23) By the way, would you support strengthening the ability
(24) of the Federal Election Commission to enforce campaign laws,
(25) including, say, requiring electronic filing of disclosure

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(1) reports and restoring the use of random audits?
(2) Mr. Barbour. Senator, the Republican National
(3) Committee files with the FEC every month, every year. The
(4) Democrats filed the minimum that is required.
(5) As you know, in 1996, the Democratic National Committee
(6) refused to file its last report before the election. They
(7) had to be sued, and they filed it Friday night, before
(8) the—or Friday, on the election before Tuesday.
(9) I think the FEC should have more power to enforce the
(10) filing of reports, and I think everybody ought to be
(11) required to file monthly because then people—disclosure is
(12) the key, Senator, and that is why I think everybody ought to
(13) have to file monthly.
(14) Senator Cleland. How about spending limits? Some
(15) people object to spending limits. Do you have any feeling
(16) about that?
(17) Mr. Barbour. Senator, in my opinion, spending limits
(18) on campaigns and parties will make special interest more
(19) influential and more powerful, not less influential and less
(20) powerful.
(21) Americans get their political information from three
(22) sources, parties and candidates, special interest groups and
(23) the news media.
(24) If you reduce the ability of parties and candidates to
(25) speak politically, then you increase the control over the

(1) flow of political information by special interest.
(2) We saw the labor unions spent hundreds of millions of
(3) dollars this year in this past election, legally as far as I
(4) know, but when you make the parties and candidates spend
(5) less, all you do is give the special interest more power,
(6) and frankly, you give the news media more control over the
(7) flow of political information, which I think is very much a
(8) step in the wrong direction.
(9) I am familiar with the news media, you know, and when
(10) you have a Republican on the griddle in a hearing like this,
(11) it makes all the national TV. If they found life on Mars
(12) today, Senator, and you had a Republican on the griddle,
(13) there are a lot of networks that would put the Republican on
(14) the griddle first, even if they all had on Roswell, New
(15) Mexico, sweatshirts, but the truth is I don't think it's in
(16) the voter's interest, the Democrats or the Republicans, the
(17) unions or management. I don't think it's in anybody's
(18) interest to give the media more control over the flow of
(19) political information.
(20) Senator Cleland. The McCain-Feingold bill, which I
(21) cosponsored and Chairman Thompson has cosponsored—we have
(22) 31 cosponsors in the Senate—would call for spending limits,
(23) elimination of soft money, and more free time from the media
(24) for legitimate candidates for public office. In my view,
(25) that is the direction we ought to go.

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(1) Let me just wrap it up. In the representations to the
(2) IRS in support of this application for tax-exempt status,
(3) didn't the NPF state that the NPF was "not an affiliated or
(4) unaffiliated part of the Republican party"?
(5) Mr. Barbour. Yes, sir. If that's—I don't have it in
(6) front of me, but if it says not an affiliated part of the
(7) Republican National Committee, I am sure that is in there.
(8) Senator Cleland. I would like to bring up Exhibit 259,
(9) the Minority Exhibit 259. Just take a look at that. It is
(10) a memo from you to Team 100 members stating that NPF would
(11) "help set a positive Republican agenda for America and
(12) provide a proactive forum for Republican participation."
(13) Did you write that memo?
(14) Mr. Barbour. Actually, I didn't, Senator. I believe
(15) that I testified earlier that this was a staff-prepared
(16) memo, and that after the fact, the Legal Department and the
(17) National Policy Forum both said, hey, some of the stuff in
(18) there is wrong, we can't do it, and we didn't do it, but as
(19) you know, Senator, I'm sure it's the same way in your
(20) office, both now and back in the State, that a lot of stuff
(21) gets written with your name on it that you don't write, and
(22) this was written, I think, in good faith, but it was written
(23) with information that wasn't accurate.
(24) Senator Cleland. The memo also said, "It would help
(25) the party regain its rightful position in this country."

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(1) You do not believe that that kind of advocacy is consistent
(2) with the current law on restrictions on 501(c)(4), do you?
(3) Mr. Barbour. Well, actually, the Democratic Leadership
(4) Council has been very strong and very positive with the
(5) Democratic Party on helping set its agenda, which I think is
(6) allowed under 501(c)(4). I think that the DLC states in its
(7) charter that it is trying to build a Democratic majority,
(8) and that that is permissible, as long as it is not the
(9) primary function.
(10) So I think the DLC operates—is recognized by the
(11) Service as a 501(c)(4), doing those sorts of things, and I
(12) think they are allowed, though there are some things in this
(13) particular memo that are not accurate.
(14) Senator Cleland. Yes. Do you have any recommendations
(15) as far as here in helping us plug loopholes in the law that
(16) bring us to this point? You are a professional in this
(17) business. None of us are neophytes. What are some parting
(18) words you would have for us in terms of a recommendation we
(19) might want to consider in following on with Senator
(20) Specter's view that we need to focus on campaign finance
(21) reform?
(22) Mr. Barbour. I think the biggest, most egregious
(23) serious event in campaign finance reform of 1996 cycle was
(24) the amount of money spent by the labor unions, very openly,
(25) and I think legally. The AFL-CIO said they were going to

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[1] spend a bunch of money to buy back Democratic control of
[2] Congress in 1995 and 1996. They, in fact, spent over \$50
[3] million just on television advertising, before you count
[4] phone banks, get-out-the-vote, direct mail. It is estimated
[5] by a professor at Rutgers, they spent 300- to \$500 million.
[6] I do not have a problem with the numbers. The problem
[7] I have is that they paid for that almost exclusively with
[8] compulsory union dues money, Senator, and I think if a
[9] member of the AFL-CIO in Georgia wants some of his dues
[10] money to go to pay for Democratic or Republican campaign
[11] activity, they should have that right, but should not have
[12] their compulsory dues money taken from them and spent by the
[13] union bosses.
[14] Senator Cleland. May I say that Georgia is a
[15] right-to-work State. You do not have to join a union. They
[16] can do what the hell you want to with your money, but it
[17] beats the hell out of hanging out with a Hong Kong
[18] multimillionaire on his yacht.
[19] I will turn my time back to Senator Glenn.
[20] Chairman Thompson. All right. Senator Bennett is not
[21] here.
[22] Senator Glenn. I will refer to you. I can either give
[23] you some of my time-I know you have some questions-or we
[24] can do another 5-minute round. I do think, in fairness to
[25] the witness, we ought to just stay as long as anybody wants

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[1] to stay in order to conclude tonight.
[2] Senator Glenn. We do have some other interests here,
[3] and I would like 5 minutes, and I think others would like
[4] it, too. If we could have a 5-minute round, it would be
[5] appreciated, Mr. Chairman.
[6] Chairman Thompson. All right. Senator Glenn?
[7] Senator Glenn. Thank you, Mr. Chairman.
[8] Mr. Barbour, it has been a long day here, and I want to
[9] sort of sum up the way things look from this side of the
[10] bench up here.
[11] We have had several witnesses over the last couple of
[12] days. We had Mr. Volcansek, who says that he told you that
[13] this money was Hong Kong in origin, and he said he told you
[14] that prior to the time when the loan was consummated.
[15] Mr. Young in his deposition says he talked to you on
[16] two occasions about it being Hong Kong dollars that would be
[17] used, once at a dinner in Washington here in August of 1994
[18] and the summer in 1995 in Hong Kong on the boat, and that is
[19] when you asked for forgiveness, and he said no, because it
[20] was Hong Kong money, it was subject to Hong Kong law, and he
[21] could not go along with that. So he told you that, too.
[22] Now, Mr. Richard Richards, we will have testimony
[23] tomorrow here about his comments on the funds, also.
[24] Mr. Becker testified that-and these people were all
[25] under oath-all under oath. Mr. Becker testified that the

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[1] money came from Hong Kong and that he told the Republican
[2] National Committee general counsel that it was Hong Kong
[3] money, even though it was coming through the Ambrous Young
[4] (USA), and he also testified to the fact that you said that
[5] you would pay this off, would recommend that the RNC pay it
[6] off, there was a problem with it.
[7] Now, Mr. Baroody, then, he has concerns in several
[8] areas. One, he did not know the others were going behind
[9] his back with a plan for foreign money, and that had been
[10] originally mentioned in the Reed memo, I believe.
[11] Then, and this is an important part, he resigned as the
[12] president of NPF, and he had been president of NPF for a
[13] year at this point, and he resigned and said in his letter
[14] to you he is resigning. One of the reasons was lack of
[15] separation between the NPF and the RNC, which he called a
[16] fiction of separation, and he said that the staff viewed
[17] this-that the NPF was being run like a division of the RNC.
[18] Now, the reason I bring it up is this. The Baroody
[19] concerns that he resigned over during this whole period of
[20] operation by the NPF are subsequently borne out by the IRS
[21] ruling, it appears, albeit-now, that came later, and I
[22] agree with that, but that what they say is that during this
[23] whole time period-and they looked at it. They had a
[24] 13-page report on this thing. They say that during this
[25] whole time period, NPF was operated not as a 501(c)

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[1] organization, even though you had applied for that, but when
[2] they went back and saw how it had been operated for all this
[3] time, it was operated, in their words, as a parasitic
[4] political organization, and it operated that way.
[5] Now, I know you have said that this was legal, this was
[6] a think tank only, but the IRS, after looking at this and
[7] doing a thorough 13-page analysis, says all this time you
[8] were actually operating not as a 501(c), even though you
[9] were calling it that, but what you were doing was an
[10] illegal-it would be illegal for a 501(c), and they turned
[11] you down, and they had permitted you to operate as a 501(c)
[12] after the application, which is customary in these cases,
[13] but their statement is that you did not operate that way.
[14] Now, they did not come back and try to get back into
[15] this, but your president of the organization resigned
[16] because of a fiction of separation that made this flow of
[17] foreign money actually illegal, even though the IRS had not
[18] given you an opinion on this, but you were operating in a
[19] way that they denied later was legal.
[20] So that is just the way it appears to me, anyway, here,
[21] and I guess you can say, well, they had not ruled on this at
[22] that time. So whatever you did that they said later was
[23] illegal is something, I guess, it is by the board at this
[24] time. The problem, though, is, as someone pointed out a
[25] moment ago, we still have foreign money coming in, and we

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[1] can go through all the technicalities of this thing, and
[2] there is no doubt that the Democratic fund-raising got
[3] overboard this time. I do not know whether it was the same
[4] depth in the Republican organization or not, Mr. Barbour.
[5] Maybe it was not, but there was foreign money involved,
[6] wherever it came from, and it was involved in both
[7] campaigns.
[8] Now, maybe there is a degree of difference here. I do
[9] not know. I guess as we go along, time will lead us to
[10] whatever we find out about this, but I think there was
[11] wrongdoing, and I think what Americans want-just one more
[12] minute, please, Mr. Chairman. The Americans watching this
[13] whole thing out there are appalled at Democratic misdeeds,
[14] absolutely, and I think they are appalled at a sort of a
[15] dancing on the head of a pin and arguing over the legality
[16] and illegality and didn't money come in to the Republicans,
[17] also. Well, it did. It came from Hong Kong. We know it
[18] did, and we can dance on the technicalities of this, but it
[19] came in. It was foreign money, and that is it.
[20] And the American people do not like that, and they have
[21] said repeatedly, they want real honest-to-goodness campaign
[22] finance reform, and that is what I keep pointing out over
[23] and over. I want to get this foreign mess cleaned up,
[24] whatever the party was. If we come out worse on this than
[25] you do, so be it. Let's get it all out here and let it all

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[1] hang out. There was foreign money involved.
[2] Then let's get to the tax-exempt situation and clean up
[3] those. There are multiple examples of that on both sides,
[4] and then let's get the third-party transfers of money, and
[5] then let's get into soft money, which is the worst,
[6] biggest-growing, moist pernicious effect of the whole last
[7] election cycle, and we can spend all of our time arguing
[8] about illegalities, and I am all for taking care of
[9] illegalities, but there is one thing this Committee has that
[10] the FBI and the people that who are doing the law
[11] enforcement do not have. They do not have the ability to
[12] change the law and correct the situation we see right now,
[13] and that is a unique responsibility that I think this
[14] Committee has this year.
[15] We just cannot leave this system in place because what
[16] we do, we will correct all the illegalities and see the same
[17] old system that spawned these problems just come back to
[18] haunt us later.
[19] So I know this has been a long day for you, but I just
[20] wanted to make that statement. I appreciate the Chairman
[21] permitting us to have a second round here.
[22] Thank you.
[23] Chairman Thompson. Okay. I will take a minute or two
[24] of my time.
[25] Mr. Barbour, I appreciate your testimony, too. You an

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(1) I probably differ somewhat with regard to changes in the
(2) current law, but what we are trying to do here is, first of
(3) all, deal with the past—that is what any investigation
(4) does—and determine whether or not laws were violated,
(5) determine whether or not there were gross improprieties that
(6) affects the basic integrity of our system and our
(7) Government. Those are serious matters. Those are
(8) traditionally the matters that occupy serious hearings like
(9) that, and we have to do that.

(10) Then I would hope at the end of the day, we will take a
(11) look at all of that and the things that we have learned and
(12) see if we can make our system better. I am one of those who
(13) thinks that our system can be made a lot better; that it
(14) would be hard to devise a system that could be more
(15) problematic than the one we have got now. Reasonable people
(16) can differ on that.

(17) My concern has been as we go along that everybody is
(18) going to have to do a little something that they do not want
(19) to do. Those who simply want to look at the past wrongdoing
(20) have to remember that this is a part of a broader context of
(21) a system that is in somewhat of a dispute right now. So we
(22) have to look at it that way.

(23) Those who want to talk about reform and that that
(24) should be our constant focus, I believe, have to understand
(25) that, unless we are willing on a bipartisan basis to take a

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(1) look at serious allegations of wrongdoing that affect the
(2) basic integrity of our Government, people are not going to
(3) believe us when we say that we really want to reform the
(4) system because there are always going to be people out there
(5) that can find some way to violate some system, regardless of
(6) what our system is.

(7) So I think Senator Glenn make some valid points. I
(8) think others have made valid points about our process, but I
(9) hope as we go forward—and if you have not observed yet, we
(10) usually keep score here about every 30 minutes as to who is
(11) ahead and who is behind, which I think is somewhat
(12) unfortunate, but as we go forward, I hope we keep in mind
(13) that some of us, certainly I think all of us, want to look
(14) at the system and see if we can do better, and we may decide
(15) that this is the best system possible. I do not think so,
(16) but, also, before we can do that, we have to all be willing
(17) to take a look, an objective look to see what kind of
(18) serious violations look place during this campaign. I think
(19) you have been helpful in both of those categories.

(20) Now, I will relent from my time and call on Senator
(21) Collins.

(22) Senator Collins. Thank you, Mr. Chairman.

(23) I want to echo your longstanding support for campaign
(24) finance reform. That certainly will be a good result of
(25) these hearings, but it is also, as you pointed out,

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(1) important that we get to the truth of what happened in
(2) fund-raising in 1996, but interestingly enough, there has
(3) been a third issue raised in my mind by these hearings, and
(4) that is the more that I learn about the National Policy
(5) Forum and the Democratic Leadership Council, the more I am
(6) disturbed by the disparate treatment by the Internal Revenue
(7) Service of these two organizations. That is something that
(8) I did not expect to come out of these hearings, but given
(9) the extraordinary powers of the IRS, I am very, very
(10) concerned by the apparently very disparate treatment that
(11) was given by the IRS to the Republican-oriented National
(12) Policy Forum versus the Democratic-oriented Democratic
(13) Leadership Council.

(14) Mr. Barbour. I want to get your opinion on the
(15) relationship between the Democratic National Committee and
(16) the Democratic Leadership Council and have you compare that
(17) relationship with the National Policy Forum and the
(18) Republican National Committee.

(19) To do that, and if you will bear with me, I want to
(20) pick up where Senator Nickles left off and take you through
(21) some statements and have you compare the relationship I am
(22) describing with the relationship of the National Policy
(23) Forum and the Republican National Committee.

(24) It is my understanding that the Democratic Leadership
(25) Council was founded in 1985. At that time, then-Governor

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(1) Robb stated that, "We definitely want this to be a joint
(2) venture with the Democratic Party." The Democratic National
(3) Committee chairman, Paul Kirk, the then-DNC chairman, Paul
(4) Kirk, further emphasized the intermingling of the two
(5) organizations when he announced that the DLC and the policy
(6) committee of the DNC would share staff. These are both
(7) taken from various Washington Post articles.

(8) Let me ask you, when you created the NPF, was there any
(9) statement about intermingling the two organizations, the RNC
(10) and the NPF? Was there any sharing of staff? Did you have
(11) RNC staff on the payroll of NPF?

(12) Mr. Barbour. Senator, no. They are separate boards.

(13) I was the only member of the board of NPF who was also a
(14) member of the RNC. There were separate staffs. The two
(15) organizations had a good relationship. I mean, like-minded
(16) organizations help each other, but there was no
(17) intermingling of staffs, separate books, separate offices,
(18) separate functions, separate, as I said in my opening
(19) remarks.

(20) Senator Collins. So the statements that I just read
(21) you of two people who are obviously in key positions,
(22) Governor Robb and the DNC chair, indicated more closeness
(23) than at the beginning, anyway, than what you have indicated
(24) was the case with the National Policy Forum and the
(25) Republican National Committee. Is that correct?

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(1) Mr. Barbour. The intermingling of staff certainly is.

(2) Senator Collins. Let me go to another bit of
(3) information, again from the Washington Post. It is my
(4) understanding that in May of 1985, the Democratic Leadership
(5) Council kicked off a nationwide series of public events, and
(6) that included beginning with a three-city swing through
(7) Florida, and in announcing these events, then-Senator Chiles
(8) of Florida stated, and I quote, "The DLC is serving notice
(9) today that the Democratic Party is alive and kicking, and we
(10) are not going to concede any grounds to the Republicans."
(11) He also stated, "The DLC's goal is to help make the
(12) Democratic Party a winner in national elections again."

(13) Again, could you compare that for me?

(14) Mr. Barbour. Senator, I have read that quote, and I
(15) may have said earlier, the DLC's charter says that one of
(16) their goals is to build a Democratic majority.

(17) At the National Policy Forum, we considered that
(18) something we could not do. In fact, the lawyers complained
(19) about calling it a Republican center for the exchange of
(20) ideas. They even winced at that, but no, we never said
(21) anything about winning elections, Republican majority. No,
(22) ma'am.

(23) Senator Collins. During the transition in 1992 to
(24) President Clinton's administration, the Democratic
(25) Leadership Council had "at least 23 professional staffers on

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(1) loan to the transition," according to a Washington Times
(2) article. Again, anything comparable between the RNC and the
(3) National Policy Forum?

(4) Mr. Barbour. Senator, unfortunately, we hadn't gotten
(5) to have a transition for a Republican President since the
(6) policy forum, but no, ma'am, we didn't do that. I am not
(7) sure, ma'am, that that would be impermissible as long as it
(8) was policy, but we never did that.

(9) Senator Collins. Could I have just one additional
(10) minute, please?

(11) Finally, let me just end on a couple of points. I
(12) noticed that my good friend, Senator Lieberman, for whom I
(13) have the greatest respect, said earlier that the DLC was
(14) created by people who were not happy with the DNC, and that
(15) certainly may have been true once, but today, the number-two
(16) person at the DLC is the chairman of the Democratic National
(17) Committee. The number-one person is the distinguished
(18) Senator from Connecticut. The President of the United
(19) States is a former chair of the DLC. So, certainly, if this
(20) was once a group from the outside, it has very successfully
(21) become the mainstream group.

(22) And finally, I would ask that Exhibit 506 be put up on
(23) the screen. Again, my underlying concern here is the very
(24) different decision that the IRS reached with regard to these
(25) two organizations.

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(1) My time has expired, but I would ask that we look at
(2) the description of the National Policy Forum, which is
(3) called a Republican center for the exchange of ideas. It is
(4) focused on outreach, on holding grassroots forums. The
(5) contrast on the Democratic Leadership Council is the quote
(6) from Al Fromm saying that the DLC is helping to rebuild the
(7) new Democratic majority.

(8) In your final comment to me, if you had to say which
(9) had the closer links to the party organization, what is your
(10) judgment?

(11) Mr. Barbour. Senator Dodd, who was my colleague
(12) counterpart, is chairman of the Democratic National
(13) Committee, when I was chairman of the Republican National
(14) Committee, said in the New York Times that the DLC and the
(15) DNC were interdependent; that there was no such
(16) interdependency between the RNC and NPF.

(17) Senator Collins. Thank you, Mr. Barbour, and thank
(18) you, Mr. Chairman.

(19) Chairman Thompson. Thank you.
(20) Senator Levin?

(21) Senator Levin. Mr. Chairman, thank you again.

(22) Mr. Barbour, I wanted to just go over a couple of facts
(23) relative to this loan and kind of summarize the appearance
(24) here.

(25) Your top strategist, I believe, Mr. Fierce, is

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(1) that--would he be a strategist of yours at the RNC?

(2) Mr. Barbour. His title, I think, was counselor, but
(3) yes, that is fair, and he was one of the--before he worked
(4) at the RNC, was one of the incorporators or original board
(5) members of NPF before he went for the RNC.

(6) Senator Levin. Thank you.

(7) Mr. Volcansek testified that he met with Mr. Fierce to
(8) discuss finding a foreign source for the loan or a loan
(9) guarantee, and they were only looking for foreign sources.

(10) That is Mr. Volcansek's testimony. They tried three. The
(11) first one did not pan out. The second one did. That was
(12) Mr. Young.

(13) Mr. Volcansek did talking points then for you, which
(14) you have talked about today, to call Mr. Richards to discuss
(15) "ways in which Ambrous Young and his family"--not Young
(16) Brothers (USA), but Ambrous Young and his family--might be
(17) of help with respect to this loan.

(18) You had dinner with Mr. Young here. You had dinner
(19) with him in Hong Kong. You knew he was a Hong Kong citizen.
(20) there is ample correspondence between you and him, addressed
(21) to him in Hong Kong.

(22) Then Mr. Volcansek testified to something unequivocally
(23) under oath, and this is what I want to ask you about. He
(24) testified in his--

(25) Mr. Barbour. I'm sorry, Senator. This is who now?

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(1) Senator Levin. Mr. Volcansek testified.

(2) Mr. Barbour. Okay.

(3) Senator Levin. And this is on page 108 of his
(4) deposition.

(5) It is on line 17. Mr. Volcansek--

(6) Mr. Barbour. You know, Senator, you would think as far
(7) as I am, I would not be so vain, I would get some glasses.
(8) but--

(9) Senator Levin. Well, I would lend you mine, except no
(10) one would recognize me without them.

(11) [Laughter.]

(12) Mr. Barbour. 108. Okay, 108.

(13) Senator Levin. Line 17, right: "Prior to October 13,
(14) 1994, did you make Haley Barbour aware that Mr. Young would
(15) be transferring monies from Hong Kong that would be used to
(16) support the collateral used in the loan guarantee made to
(17) the National Policy Forum?"

(18) The witness: Yes, I did."

(19) Now, there is a statement under oath by Mr. Volcansek
(20) that he made you aware that Mr. Young would be transferring
(21) monies from Hong Kong prior to October 13th. Do you deny
(22) that he made you aware of that fact?

(23) Mr. Barbour. Senator, I believe I have already said in
(24) my testimony that I do not recall and do not believe that
(25) Fred said that. I am told and I believe it has been read

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(1) here into the record that Mr. Denning, who was at the same
(2) meeting, said he did not recall saying that. I have--I do
(3) not know what Mr.--

(4) Senator Levin. I am asking you about your recall.

(5) Mr. Barbour. And I do not believe he said that.

(6) Senator Levin. All right.

(7) Mr. Barbour. I do not recall him saying that. The
(8) only other person at the meeting who has given sworn
(9) testimony has said he does not recall him saying that.

(10) Senator Levin. I am just asking you about your recall.

(11) Now, you are given all those facts, all those efforts to
(12) raise foreign money that was aimed at by your chief
(13) strategist; you are meeting with someone who you knew was a
(14) Hong Kong citizen, resident, in Hong Kong, on the phone; you
(15) write letters to him in Hong Kong. I think you knew he had
(16) a Hong Kong company; did you not?

(17) Mr. Barbour. I knew he had a business in Hong Kong.

(18) Senator Levin. Yes. And then what you are saying is
(19) that you never inquired as to whether that loan might be
(20) based on Hong Kong funds? You never made the inquiry?

(21) Mr. Barbour. Senator Levin--

(22) Senator Levin. Well, let me ask you point blank. Did
(23) you ever think to inquire as to whether the source of those
(24) funds that were used to guarantee the loan to NPF were Hong
(25) Kong sourced? That is my very specific short question. Did

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(1) you ever think to make inquiry, given the sensitivity of
(2) foreign money which you have testified to, because it was
(3) not a politically good thing to do, is the reason why you
(4) said it was sensitive? Did you ever think to make inquiry
(5) relative to the source of those funds?

(6) Mr. Barbour. Senator, the reason I never made inquiry
(7) was that Young Brothers Development (USA) was a donor to the
(8) RNC, which I was told the very first time this ever was
(9) brought up to me that that was one of the attractive things
(10) about Young Brothers Development (USA) being the loan
(11) guarantor, that we already knew they were donors to the RNC.
(12) There was no reason for me to make inquiry.

(13) I did know Mr. Young was the head of the family and I
(14) knew he lived in Hong Kong.

(15) Senator Levin. All right. Now, the only thing which
(16) stretches my credulity more than that is in your letter,
(17) Exhibit 289, or in the letter--excuse me--to you from
(18) Ambrous Young, Exhibit 289, this is what he says: He says
(19) that, and this is the bottom paragraph, "We are willing to
(20) consider the support of \$2.1 million, which is the amount
(21) you have expressed to me that is urgently needed and
(22) directly related to the November election."

(23) Now, you have testified, I believe, that you do not
(24) remember seeing this letter; is that correct?

(25) Mr. Barbour. I have testified, Senator, that I never

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(1) saw this letter and in fact--

(2) Senator Levin. That is fine. My question--

(3) Mr. Barbour. If I could explain, in the deposition
(4) when this was shown to me, the staff tore off the cover page
(5) that showed it had not been sent to me, that it had been
(6) sent to Mr. Becker and Mr. Richards. And the cover sheet
(7) from the fax did not mention my name.

(8) Senator Levin. All right.

(9) Mr. O'Donnell. Senator, please let him finish his
(10) answer.

(11) Senator Levin. I just simply said he did not receive
(12) this letter. That is the question. Now, the answer is he
(13) did not receive this letter--so he says. My question is not
(14) that. My question is that this letter says--whoever
(15) received it, whoever received this letter--this letter by
(16) Mr. Young says that you expressed to me, to him, that it is
(17) urgently needed--that \$2.1 million--and directly related to
(18) the November election. That is what he said in his letter
(19) to you, whether you ever received it or not.

(20) Is it true that you, Haley Barbour, expressed to
(21) Ambrous Young that the \$2.1 million guarantee and the
(22) support was urgently needed--

(23) Chairman Thompson. Last question. Give an answer,
(24) please.

(25) Senator Levin. Can I finish the question?

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(1) Chairman Thompson. Well, certainly.
(2) Senator Levin. That you expressed to him that the
(3) money was urgently needed and directly related to the
(4) November election, that is my question.
(5) Mr. Barbour. Senator Levin, I not only say that is not
(6) correct, it is my understanding that in the deposition that
(7) the minority took of Mr. Young, he told the minority that
(8) there was nothing about this that had anything to do with
(9) the congressional election. I have not been there. I was
(10) not shown that from his deposition because the staff did not
(11) let me see his deposition. But it is my understanding that
(12) he has stated under oath that this had nothing to do with
(13) the congressional elections.
(14) Chairman Thompson. Senator Domenici?
(15) Senator Domenici. Well, Mr. Chairman, again I
(16) apologize for not having been here. And let me say, Haley
(17) Barbour, I was out doing what you started, trying to get a
(18) balanced budget which you preached and worked so hard for,
(19) and to get a tax cut for the American people, which you
(20) worked so hard for. And I am sorry you were not there with
(21) me, able to share the successes we have had in the last four
(22) or five months.
(23) I actually made a couple of points this morning that I
(24) am not going to make again. But I would just like to say to
(25) the ranking Democrat, Senator Glenn, who commented awhile

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(1) ago about technicalities and that this was all a matter of-
(2) illegality did not make any difference. It was just
(3) something to do with-
(4) Senator Glenn. Mr. Chairman, I did not say that, and I
(5) have to jump in there, because I never made a statement that
(6) illegality do not make any difference. Never have I ever
(7) said that in any hearing or in any public statement.
(8) Senator Domenici. Well, let me just continue. The
(9) interesting thing is that you muddled up as if this was
(10) illegal when you know it was not illegal. And you can go
(11) back and read the record. You did that. As a matter of
(12) fact, every lawyer that has looked at this said it was not
(13) illegal. And in your comments to this witness and to the
(14) people who were listening then, you tried to say it may be
(15) illegal. And frankly, that is not right. And I want to ask
(16) you, Senator, because you have been around here a long time-
(17)
(18) Senator Glenn. Let us go back and get the record,
(19) then.
(20) Senator Domenici. Well, we will get it.
(21) Senator Glenn. And we will correct it in the morning,
(22) because you are misrepresenting what I said.
(23) Senator Domenici. Well, we will get it. We will get
(24) it tomorrow. Fine. Now, let me tell you, Senator, you have
(25) been here a long time and you have a great reputation, and

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(1) it is too bad that in these hearings you are not helping us
(2) get the facts. You got the facts from the Republicans. We
(3) need you to tell the Attorney General of the United States
(4) to let us have the facts.
(5) Senator Glenn. I have told them that.
(6) Senator Domenici. Well, you ought to go out on the
(7) stump and say it. You ought to tell the President that he
(8) is wrong in having the Attorney General of the United States
(9) handle this matter when she is there to say that we cannot
(10) even talk to witnesses. What kind of hearings are these
(11) going to be?
(12) Now, I repeat, it is not Republicans keeping evidence
(13) from you. Every Republican that has been thought of has
(14) come here. One has left the jurisdiction, and we do not
(15) even control that person. And 50 of yours will not testify.
(16) and the Attorney General sits here and says they do not have
(17) to, and she claims she is investigating these people
(18) criminally. Do you know what is going to happen? She is
(19) going to investigate them until the hearing opportunity in
(20) this Committee is over with, and then she is going to decide
(21) whether to do anything.
(22) Senator Glenn. Senator, I voted for immunity
(23) yesterday. That shows where I stand on this.
(24) Senator Domenici. And in the meantime-I want to
(25) finish, I want to finish-and in the meantime-in the

(1) meantime, we sit here spending three days on three
(2) Republican witnesses on a dry hole. And there is evidence
(3) all over the place about something going wrong in that last
(4) election, and we need your help. You are a stalwart around
(5) here for fairness and equity, and what is going on is not
(6) fair. That is as certain as anything. We are not going to
(7) get anything out of these hearings, so long as that Attorney
(8) General has control of everything, and you know it and the
(9) President knows it.

(10) Thank you, Mr. Chairman.

(11) Senator Glenn. Mr. Chairman, a right of personal
(12) privilege.

(13) Chairman Thompson. Senator Glenn?

(14) Senator Glenn. Mr. Chairman, I never heard such a
(15) misrepresentation of my views. Never have I said we would
(16) excuse any illegality. I have been the one saying let's get
(17) the illegalities, but let's not leave a system in place that
(18) says we are then going to leave the same system in place
(19) that is going to spawn more illegalities in the future.
(20) I want to deal with foreign money. I have said
(21) repeatedly I have talked to the Attorney General. I wanted
(22) to get anyone we can over here. On our side, we have voted
(23) for immunity where we knew what the proffer was and had some
(24) idea. And yesterday, even beyond that, we went ahead and
(25) voted immunity in spite of what the Attorney General said.

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(1) I think that shows where we stand.
(2) If I had any way of getting all the witnesses back in
(3) here, you are laying something at my doorstep I have no
(4) control over whatsoever. I do not know these 50 witnesses.
(5) I do not know where they are. And I said a little while ago
(6) that if there was any way, anything we-that maybe the
(7) illegalities on the Democratic side are greater now. I do
(8) not know. I said let's bring them out, let's get them out.
(9) But I have said that we are arguing a lot of technicalities
(10) here, which we are, when we know whether the money was legal
(11) or illegal, which is what I said, it did flow into the
(12) campaign.
(13) And what I did say was that when the IRS came along a
(14) little bit later, they said that the NPF had been operated
(15) not as a 501 operation all that time, and that is all I
(16) said. That is what they said. And so if it had been
(17) operated that way, it had been illegal all the way through.
(18) That is basically what I said and I stand by that statement.
(19) To come in on a personal attack like that, I just think is
(20) unwarranted.
(21) Chairman Thompson. Senator Lieberman?
(22) Senator Lieberman. Thank you, Mr. Chairman. Maybe the
(23) tenor of the proceedings suggests that we should not conduct
(24) these hearings after 7:00 p.m. at night. I must say I
(25) myself am troubled, even though you and I, Mr. Barbour,

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(1) began this comparison of the DLC and the NPF in good humor.
(2) The repeated return to the comparison, I think, is unfair.
(3) And I just want to make very clear and, finally, I regret
(4) having to do it again, there are points of comparison
(5) between these two organizations. The law allows 501(c)(4)
(6) organizations to be partisan. Both of these organizations
(7) were meant to be policy organizations. I can tell you the
(8) DLC was founded in 1985 as an attempt to revive the
(9) intellectual policy base of the party, to see if we could
(10) return the party to its historic role as the party of
(11) economic growth and national security and opportunity and
(12) responsibility and community. We tried to do that, and I
(13) think in some measure we have succeeded, but this hearing is
(14) not about an appeal of the IRS' denial of that status to the
(15) NPF.
(16) There are significant differences between the NPF and
(17) the DLC, and it is those factual differences that bring us
(18) here, and they all involve money. The DNC has never given a
(19) penny to the DLC, loaned a penny to the DLC or guaranteed a
(20) penny to the DLC.
(21) What we are here for is the fact that the Republican
(22) National Committee contributed more than \$2 million to the
(23) National Policy Forum, and then the National Policy Forum
(24) received money from a Hong Kong-based organization as
(25) collateral for paying back that money to the Republican

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(1) National Committee, which went into the campaigns of 1994,
(2) and in some measure, 1996. So that is what we are here for,
(3) and I want to ask you about that briefly.
(4) You have spoken several times, and people have asked
(5) you, about the fact that the money that came out of the
(6) National Policy Forum, the \$1.6 million, did not go to the
(7) RNC specifically, and it did not go to the congressional
(8) campaigns. That is what you said in your opening statement.
(9) It went into your non-Federal soft money account, the
(10) so-called RNSEC.
(11) We have talked about what the RNSEC cannot do. Tell
(12) us, if you will, your understanding of what the various
(13) States who received money from the RNSEC, the various State
(14) Republican organizations--and our presumption is that most
(15) of the \$1.6 million that went from the NPF as a result of
(16) the Hong Kong-based collateral, back to the Republican
(17) National SEC account, went out to the various States at the
(18) end of the 1994 election. What can the States use RNSEC
(19) non-Federal soft money for?
(20) Mr. Barbour. Senator, just so you will know, your
(21) assumption that that is where the money went is not correct,
(22) but I will be glad to answer your question.
(23) The money had--if the money had never been collected,
(24) we would have had the same amount of money to give to the
(25) State parties to fulfill the plan. The law is that--

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(1) Senator Lieberman. Where did it go? You are saying
(2) that it did not go. Do you mean in the middle of the 1994
(3) election, you did not put it out and use it in the campaign?
(4) Mr. Barbour. Well, you know, I am not an accountant.
(5) Senator Lieberman. Right.
(6) Mr. Barbour. And I remember LIFO and FIFO and all that
(7) stuff, but I never did understand what it means.
(8) Senator Lieberman. So are you saying you may have used
(9) your line of credit as opposed to obtaining money to put--
(10) Mr. Barbour. Senator, we put \$500,000 in the building
(11) fund.
(12) Senator Lieberman. Yes.
(13) Mr. Barbour. I mean, we had plenty, plenty, plenty,
(14) plenty more money than we spent.
(15) Senator Lieberman. That is still leaves a million-one
(16) that you got back from NPF, but tell me what--
(17) Mr. Barbour. I didn't want you to think I was
(18) accepting your characterization because I didn't respond to
(19) it.
(20) What can be done? One is the Federal Election
(21) Commission recognizes that we are a national party, and they
(22) say 35 percent in this particular year, 1994, of our
(23) overhead operational cost can be spent for out of the
(24) non-Federal, 65 percent--I'm sorry. It is 40 percent. In
(25) 1994, 40 percent of the overhead of the National Committee

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(1) could get paid out of non-Federal, 60 percent, Federal.
(2) Non-Federal can be given to non-Federal candidates. We
(3) contributed 2- or \$3 million that year to governors' races.
(4) We contribute to candidates for lower State office. We've
(5) spent a couple of million dollars that year in support of
(6) legislative campaigns.
(7) Senator Lieberman. Okay. Let me ask you one last
(8) question because I know my time is up. I understand what
(9) you are saying. You have denied, and I understand why, that
(10) any of that money may have gone into congressional
(11) campaigns.
(12) You have said that you did not know that the money came
(13) from Hong Kong to the NPF and then to the RNSEC account.
(14) You do know now that this money came from Hong Kong from a
(15) non-citizen to the American account, to the NPF, to the
(16) Republican National Party. Do you think it was right,
(17) looking back at it? I am not asking about culpability here
(18) because you have said you did not know about it then. Do
(19) you think that is an appropriate path?
(20) Mr. Barbour. Of course, it was legal. Of course, it
(21) was legal and proper.
(22) As I said in my statement, I thought that it was coming
(23) from the Florida company, and I thought that was a political
(24) plus.
(25) Senator Lieberman. Well, I am not asking you that. I

(1) am asking you in a way, do you agree with Baroody, Mike
(2) Baroody, your own former president of the NPF, who said that
(3) he assumed that money that would come from abroad would be
(4) legal, but he thought it was wrong to use foreign money to
(5) operate an American think tank and then indirectly to put
(6) money into American campaigns.
(7) Mr. Barbour. If on the day that Don and Dan and Fred
(8) said, hey, we want to propose this to you--
(9) Senator Lieberman. Right.
(10) Mr. Barbour. --if they had said that it was not a
(11) company that could have given to the RNC legally--
(12) Senator Lieberman. Exactly. What would you have said?
(13) Mr. Barbour. --I would have said, let's go back and
(14) find somebody else.
(15) Senator Lieberman. Let's go find somebody else, okay.
(16) Mr. Barbour. They had another American company that
(17) they were talking about, but, Senator, I want to emphasize,
(18) it was legal and proper for the Policy Forum, legal and
(19) proper for the RNC, and the fact that the 501(c)(4) status
(20) was wrongly, in my opinion, denied is irrelevant. It is not
(21) your 501(c) status. It is that you are a nonprofit that
(22) doesn't do politics.
(23) Senator Lieberman. I appreciate what you said because
(24) if on that day, those three folks working around the NPF and
(25) one for you came to you and said this money is coming from

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(1) Hong Kong to the NPF to free up money to come to the
(2) Republican party, you would have said go find another
(3) source, which I presume you mean, of course, an American
(4) source.
(5) Mr. Barbour. Yes, sir. There was an American company
(6) they were talking to that I would have said let's do them.
(7) Senator Lieberman. Thank you.
(8) Chairman Thompson. All right. Thank you.
(9) Senator Collins, did you have a minute? I have 3-1/2
(10) minutes left of my time. I will give you a 1-minute of
(11) that.
(12) Senator Collins. Thank you very much, Mr. Chairman.
(13) I just think it is important that we clarify the basis
(14) for the IRS's decision to turn down the 501(c)(4)
(15) designation for the National Policy Forum. It had
(16) absolutely nothing to do with how the NPF was funded. That
(17) was not a consideration of the IRS's.
(18) The basis for the IRS decision, which is on page 13 of
(19) the decision, the IRS says, in summary, we conclude that you
(20) are not operating primarily to promote the social welfare
(21) because you are a partisan issues-oriented organization.
(22) That was the basis, not the funding, and if that is the
(23) basis, then, in my mind, the DLC should not have received
(24) the 501(c)(4) designation as well. Would you agree, Mr.
(25) Barbour?

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(1) Mr. Barbour. Yes, ma'am. You are exactly right.
(2) Chairman Thompson. Senator Cochran?
(3) Senator Collins. Thank you.
(4) Senator Cochran. Mr. Chairman, I hate to ask any more
(5) questions. You have been asked so many questions today. I
(6) think you have handled the situation as well as anybody
(7) could possibly handle the situation, and I want you to know
(8) that I am very proud the way you have responded today to the
(9) questions that have been put to you, even though you have
(10) had them asked to you over and over and over again in
(11) different ways.
(12) I was given a copy on one of the television shows last
(13) weekend of one of these letters, like you have had sprung on
(14) you today. They handed it to me and said, "Now, what do you
(15) think about that? You have got Haley Barbour coming to
(16) testify. How is he going to get around this?" I said,
(17) "Well, first of all, it is not his letter. He did not write
(18) this. These are not his words. This is somebody else's
(19) slant on it." The letter they showed me was the one from
(20) the lawyer trying to get you to pay the guarantor so they
(21) would not have to live up to their guarantee that they have
(22) made of that bank. They wanted you to guarantee the loan.
(23) You never agreed to guarantee the loan in writing, verbally.
(24) You had hoped that they might forgive it, as I understand
(25) what the facts are, but my point is this. My answer to the

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(1) questioner at that interview was, "I know Haley Barbour, and
(2) I have known him a long, long time, and I think when he
(3) comes to testify, he will help us understand better what the
(4) facts are in this hearing, and I know he will tell the
(5) truth," and I want you to know that you have not
(6) disappointed me. I have been very impressed with your
(7) credibility, your integrity and your sense of honor, which
(8) has come through today very clearly, so that everybody who
(9) has witnessed this has to be impressed by it.
(10) I know it has to aggravate you when you continue to
(11) hear the questions like the last question, another innuendo,
(12) another suggestion, say it all over again that the money
(13) that came to the Republican National Committee from the
(14) Policy Forum's loan freed up money for the Republican Party.
(15) That is what Senator Lieberman said, and then he said it
(16) indirectly put money into campaigns.
(17) Now, those are his comments. Your testimony is to the
(18) fact that it did not in any way go into campaigns, that the
(19) money did not in any way free up money for the Republican
(20) Party, or am I missing this? Why can't others hear that
(21) very clearly and read the facts and understand them? It
(22) concerns me. It aggravates me, and I wonder if the people
(23) who are watching this can see that those innuendoes by being
(24) repeated and repeated and repeated are not proof. They do
(25) not amount of facts.

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(1) Mr. Barbour. Senator, I don't mind being asked the
(2) factual questions. The hardest thing is when people say you
(3) have betrayed your country, you have betrayed your party. A
(4) Senator said that, said that about me, and I resent it.
(5) Senator Cochran. Well, I resent it, too, and I know
(6) you well enough to know that that is not true at all, no
(7) basis in fact.
(8) I have no other questions, Mr. Chairman.
(9) Chairman Thompson. Would you give Senator Specter
(10) whatever time you have remaining?
(11) Senator Cochran. I am happy to yield my time to him.
(12) Senator Specter. Thank you very much, Senator Cochran.
(13) Thank you, Mr. Chairman. I will not ask how much time it
(14) is.
(15) Chairman Thompson. I think I have a little left, too.
(16) So you can take mine, too.
(17) Senator Specter. Thank you.
(18) Mr. Barbour, the good news is that there is a vote at
(19) 7:45, and for those watching on C-SPAN2 at 3:00 a.m.
(20) somewhere, that is 15 minutes from now.
(21) I do not want to violate any of the Senate rules of
(22) ethics, but I am going to try to ask you some questions
(23) instead of making speeches. They get me into trouble.
(24) The distinguished ranking member, starting the second
(25) round for questioning, spoke at some length. I was anxious

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(1) to hear your response because that part of the program was
(2) on CNN, and I am now saying to CNN, which is monitoring
(3) this, although not covering it, that they owe your response
(4) live on CNN when you get around to talking about it, but the
(5) ranking member went into some detail with conclusions.
(6) I know you have been over the ground. The conclusions
(7) were that this was an illegal foreign contribution.
(8) Mr. Barbour. Yes.
(9) Senator Specter. And I would like to hear your
(10) response, because I know CNN is now covering this live, as a
(11) matter of fairness.
(12) Mr. Barbour. Thank you, Senator. You would be
(13) interested. I didn't get to answer in the room either. So I
(14) am glad that you are giving me the opportunity.
(15) Senator Specter. Sometimes hearings are intended to
(16) have questions and answers. So now you get to answer.
(17) Mr. Barbour. Senator, there was no-the National
(18) Policy Forum did nothing illegal or improper. There was no
(19) illegal foreign loan. Another question that was asked or
(20) that was raised was the fact-
(21) Senator Specter. Well, let's come back down to it, Mr.
(22) Barbour.
(23) Mr. Barbour. Yes.
(24) Senator Specter. Why as you see it-you are an
(25) experienced lawyer and an experienced person involved in

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(1) political matters-specifically, why was there no illegal
(2) foreign contribution which has been pressed very hard? Say
(3) exactly why.
(4) Mr. Barbour. The National Policy Forum got a loan from
(5) Signet Bank, guaranteed by a Florida corporation, to repay a
(6) legitimate previously reported debt to the Republican
(7) National Committee. The National Committee had loaned it
(8) money, and it repaid the debt, which it had the right to do.
(9) At the time, I didn't know that the Hong Kong company had
(10) lent, loaned, or did whatever, the collateral to the Florida
(11) company, but it is still legal. It is a legal transaction
(12) to pay a legitimate debt.
(13) Signet Bank cannot make a contribution to Senator
(14) Specter's campaign. It is against the law. The banks can't
(15) give. A corporation can't give.
(16) If Terry O'Donnell borrows \$50,000 from Signet Bank and
(17) gives you a \$1,000 campaign contribution, it is totally
(18) legal. I mean, the source of the money for your campaign is
(19) him. The source of the money for us was NPF paying the RNC
(20) back money it owed that it borrowed from the bank.
(21) A bunch of-I'm not a-I don't hold myself out to be an
(22) expert lawyer, but some of the best lawyers around lawyered
(23) this at the time.
(24) Senator Specter. So your point is that the Young
(25) Corporation (Hong Kong) appropriately advanced fund to the

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(1) Young Development Corporation (Florida), and they legally
(2) engaged in a guarantee arrangement, and that you had advice
(3) of counsel on all of the specifics, and it was all legal.
(4) Mr. Barbour. Yes, sir.
(5) Senator Specter. And if somebody makes an assertion to
(6) you that it was not legal, you would like to have them point
(7) out to you specifically what was not legal about that
(8) transaction.
(9) Mr. Barbour. There was nothing that was not legal
(10) absolutely out it.
(11) Senator Specter. But if somebody contends, conclusory,
(12) says it was illegal, you would like to have them-I am
(13) asking you a leading question now, Mr. Barbour, and you are
(14) a lawyer. You know what a leading question is, but if
(15) somebody says to you that it was illegal, wouldn't you like
(16) to have them specify what was illegal about it?
(17) Mr. Barbour. Yes. Yes, sir.
(18) Senator Specter. Now, I do not like to ask leading
(19) questions, Mr. Barbour, but sometimes you are just not a
(20) cooperative witness.
(21) Now, you were also asked about this letter from Mr.
(22) Ambrous Young. I listened carefully during that
(23) interrogation session, and I did not hear your answer or
(24) observe any opportunity for you to answer, and the issue was
(25) obscured, which has happened a time or two, by the exchange

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(1) on the cover fax, and this letter is addressed to you. It
(2) is from Ambrous Young, and there is a presumption if a
(3) letter is mailed that it is received, not conclusive, but a
(4) presumption, but this letter was not mailed.
(5) It says by hand, and the letter says that Mr. Ambrous
(6) Young is asking his son, Steve Young, to deliver this letter
(7) with explanations on my behalf. The question is-I do not
(8) think anybody asked you this-was this letter delivered to
(9) you?
(10) Mr. Barbour. No, sir.
(11) Senator Specter. All right. Now, that is a little
(12) different than a lot of mail which comes in, in the regular
(13) course of business, which are all inundated, but if a letter
(14) is delivered to you by hand, that is something someone would
(15) remember a little differently.
(16) Mr. Barbour. Senator, I speculate-and I don't know
(17) this. In fact, I didn't know this letter existed until Mr.
(18) Baron showed it to me when he took my deposition. I
(19) remember when Steve Young came to see me that evening in the
(20) office and us visiting and walking him around the office.
(21) He told me that they were going to-that Young Brothers
(22) Development (USA) was going to guarantee the loan, and he
(23) told me, you know, that they might be willing to do some
(24) more at the end of the year.
(25) My speculation is, because he told me, he didn't give

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(1) me the letter, but he didn't give me the letter.
(2) Senator Specter. Well, that is the question. The
(3) factual question is did you get the letter. That is fact
(4) one.
(5) Mr. Barbour. I got the message that they were going to
(6) do the loan--
(7) Senator Specter. Okay.
(8) Mr. Barbour. --but I didn't get a letter.
(9) Senator Specter. You did not get this letter. So you
(10) did not read this letter if you did not get it.
(11) Mr. Barbour. [Shaking head side to side.]
(12) Senator Specter. Do not nod. Say yes.
(13) Mr. Barbour. Okay. Whatever it was, yes. I trust you
(14) totally.
(15) Senator Specter. Did you get the letter?
(16) Mr. Barbour. No, sir. Did I get the letter? No, sir.
(17) Senator Specter. All right. Now, I can understand
(18) that you were surprised when you were questioned about this
(19) matter, that the fax sheet was torn off, because the fax
(20) sheet shows on its fact, that went to Mr. Benton Becker and
(21) Mr. Dick Richards. So the fax sheet shows the fax did not
(22) go to you, but that is a question for another day, when we
(23) take somebody else's deposition as to how they handle this
(24) matter.
(25) The question is, on this line, which you were

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(1) questioned about, "If not possible, we are willing to
(2) consider the support of \$2.1 million, which is the amount
(3) you have expressed to me that is urgently needed and
(4) directly related to the November elections."
(5) Now, the factual question is whether Mr. Ambrous Young
(6) said to Mr. Haley Barbour or whether Mr. Haley
(7) Barbour--pardon me--said to Mr. Ambrous Young, Mr. Haley
(8) Barbour urgently needs the \$2.1 million directly related to
(9) the November election. Did you say that?
(10) Mr. Barbour. Senator, no, and I am told--I don't know
(11) this as a fact, but I am told that Mr. Young said in his
(12) deposition that his approval as the head of the family for
(13) the Florida company to guarantee the loan had nothing to do
(14) with congressional elections. I am told he said that, if,
(15) in fact, that is right in his deposition.
(16) Senator Specter. Well, all right. You have testified
(17) that you did not say that. That is the underlying fact.
(18) This is a dangerous question, but do you have an opinion or
(19) a speculation as to why he would have said that in this
(20) letter since you, in fact, did not say that?
(21) Mr. Barbour. Like I say, Senator, I had never seen the
(22) letter before.
(23) Senator Specter. Well, Mr. Barbour, in conclusion--the
(24) two most popular words in any presentation--I do believe we
(25) have a problem for remedies for the future. The question as

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(1) to whether there was a foreign contribution here is a very
(2) complicated one, and you have testified as to your state of
(3) mind on it and your explanation as to what you did.
(4) If you collapsed this transaction, it does not look too
(5) good, but that does not deal with what actually happened or
(6) what you intended to happen or what advice you got from
(7) lawyers on this matter, but I want to renew my request,
(8) looking to the future--I am going to observe the red
(9) light--that you give us your judgment as to a remedy for it,
(10) so that you do not have, in a collapsed transaction, money
(11) which originates in Hong Kong and gets indirectly through a
(12) chain which may well be perfectly legal, as you explain that
(13) it is, and I do not question that, although I do not judge
(14) it, but to give us your views as to how we might improve the
(15) system.
(16) Thank you, Mr. Barbour, and thank you, Mr. Chairman.
(17) Mr. Barbour. Thank you, Senator Specter.
(18) Chairman Thompson. If there is nothing further, we
(19) will recess.
(20) Mr. Barbour, we appreciate your testimony. I know it
(21) has been a long day, but you have provided valuable
(22) information to the Committee and we appreciate it.
(23) So we will be in adjournment until 10 o'clock tomorrow.
(24) [Whereupon, 7:44 p.m., the Committee was adjourned to
(25) reconvene at 10:00 a.m., Friday, July 25, 1997.]

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